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ABSTRACT

The participant's manual contains training materials for a 3-day national conference on strengthening board leadership in agencies concerned with independent living for people with disabilities. Preliminary materials include the conference agenda, background information about the trainers, and organizational information on Independent Living Research Utilization and the National Council on Independent Living. The bulk of the document is comprised of the manual titled, "Exercising Community Leadership: A Resource and Training Manual for Consumer Controlled Non-profit Boards of Directors Serving People with Disabilities." Following an introduction, this manual contains sections on: (1) the mission of centers for independent living; (2) legal responsibilities of board members; (3) board organization; (4) planning; (5) personnel responsibilities; (6) financial responsibilities of the board; (7) community relations; and (8) group process and decision making. Six appendices provide a sample board member biography, a sample board of directors policy and procedures, sample employee and agency policies and procedures manual, board position descriptions, a list of assessment and training instruments, and sample fiscal policies and procedures. Also provided are some group exercises and board scenarios and materials for a PowerPoint presentation. (DB)

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IL NET Presents…

ED 479 116

Strengthening IL Board Leadership

September 9-11, 2002
Buffalo, NY

EC 309729

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Expanding the Power of the Independent Living Movement

IL NET
an ILRU/NCIL National Training and Technical Assistance Project

Expanding the Power of the Independent Living Movement

STRENGTHENING IL BOARD LEADERSHIP

A National Conference

Participant's Manual

September 9-11, 2002
Buffalo, NY

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Strengthening IL Board Leadership
A National Conference

Participant's Manual
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Strengthening IL Board Leadership
A National Conference

AGENDA

Monday , September 9

8:30 AM	Continental Breakfast
9:00 - 9:20	Welcome, Opening remarks, and Overview
9:20 - 9:30	Review agenda and manual
9:30 - 10:15	Integrating IL mission and Philosophy • Evolution of Boards • Roundtables • Exercise: Identify 3 ways your board integrates Mission/Philosophy into its operations
10:15 - 10:30	Break
10:30 - 11:30	Legal Aspects of being a board member
11:30 - 12:00	Fiduciary Responsibilities
12:00 - 1:30	Lunch on Your Own
1:30 – 3:00	Roles and Responsibilities of board and staff • Job Descriptions • Board Roles • Roles and Obligations • Do's and Don'ts • Scenario's 2:00-2:30
3:00 - 3:15	Break
3:15 - 4:50	Structure of committees and Recruiting • Organize job description • Committees a. Organize job descriptions b. standing vs. ad hoc c. working with them

	Finance, Executive, Human Resources, and Advocacy Committee • Expectations • Range of Authority • Format/Content of Report • Scenarios • Job descriptions flow from By-Laws
4:50 – 5:00	Daily wrap-up

Tuesday, September 10

8:30 AM	Continental Breakfast

What board members do in key organizational areas

9:00 – 9:20	Advocacy role in representing organization • Job description • Lobbying FAQ's
9:20 – 10:15	Human Resources Role • Personnel Issues • Grievances • Lines of Authority • Developing Policies • Hire/Fire executives • Board/Staff/Consumer Blurring
10:15 – 10:30	Break
10:30 – 12:00	Fiscal Role • Policies, including Internal Controls • Review/Approve Budget • Financial Statements/Balance Sheets with notes • Individual Auditor • Questions to ask • Definitions of terms
12:00 – 1:30	Lunch
1:30 – 2:00	Program Role • Understand what agency does • Clarify Outcomes

	• Review Reports/Progress
2:00 – 3:00	Nominations Role • Assess Current Status • Look at Diversity • Identify, Recruit, Develop, Support • Scenario
3:00 – 3:15	Break
3:15 – 4:00	Planning Role • Strategic Planning Model
4:00 – 4:45	Resource Development Role • Seeing to it Resources are there • Full participation
4:45 – 5:00	Summary

Wednesday September 11

8:30 AM	Continental Breakfast
9:00 – 9:30	Board's role in running an effective board • Board Member Behavior • Holding one's self accountable • Holding organization accountable
9:30 – 10:30	Meeting management • agendas, Robert's rules, minutes, role of president
10:30 – 10:45	Break
10:45 – 12:00	Group Process
12:00 – 1:30	Lunch
1:30 – 2:30	Role Play
2:30 – 3:00	Debrief/Adjourn

About the Trainers

ANNE-MARIE HUGHEY is the Executive Director of the National Council on Independent Living (NCIL), a national membership organization that advocates for the rights of people with disabilities. Ms. Hughey has been in the field of independent living since the early 1980's. Since receiving her Masters Degree in Rehabilitation Counseling from State University of New York at Buffalo, she has been an active advocate for individuals with disabilities. Her first appointment was as Executive Director of the newly funded Batavia Center for Independent Living. Ms. Hughey subsequently served as the Assistant Director of Resources for Living Independently in Philadelphia, PA. She provides training on the history and philosophy of the independent living and disability rights movement as well as speaks on a variety of disability and national advocacy issues to groups around the country. As a person with a disability, Ms. Hughey has been a life long advocate for disability and human rights. She has always been very active in advocating for the development and implementation of laws and policies which protect the rights of persons with disabilities on a local and national level.

FRED NEWDOM, ACSW, is President of ProAct, an Albany, NY, based consulting firm specializing in advocacy and organizational development services. He has done extensive organizational development work as well as training on advocacy and legislative skills and has provided political campaign training to activists from around New York State. Some of his clients have included the Association of Independent Living Centers in New York and the New York State Office of Advocate for Persons with Disabilities.

His recent work includes lobbying on behalf of New York's WIC Program, coordinating a statewide outreach campaign to make working families aware of tax credits and programs that can help meet their basic needs, consultation to the Mental Patients Liberation Alliance and the NYS Black Gay Network and efforts to correct the draconian effects of welfare reform. In addition, he teaches courses in social policy and practice at the Smith College School for Social Work and at SUNY/Albany and is co-author of the recent book Clinical Work and Social Action: An Integrative Approach.

Fred's involvement with his professional organization includes terms as chair of the Committee on Peace and Social Justice, member of the committees on Government Affairs and Professional Development and Advocacy, and as the elected NYS representative to the National Committee on Nominations and Leadership Identification, which he now chairs. He currently is co-chair of the NYS NASW Advocacy and Government Relations Committee

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ABOUT ILRU

The Independent Living Research Utilization (ILRU) Program was established in 1977 to serve as a national center for information, training, research, and technical assistance for independent living. In the mid-1980's, it began conducting management training programs for executive directors and middle managers of independent living centers in the U.S.

ILRU has developed an extensive set of resource materials on various aspects of independent living, including a comprehensive directory of programs providing independent living services in the U.S. and Canada.

ILRU is a program of TIRR, a nationally recognized, free-standing rehabilitation facility for persons with physical disabilities. TIRR is part of TIRR Systems, a not-for-profit corporation dedicated to providing a continuum of services to individuals with disabilities. Since 1959, TIRR has provided patient care, education, and research to promote the integration of people with physical and cognitive disabilities into all aspects of community living.

ABOUT NCIL

Founded in 1982, the National Council on Independent Living is a membership organization representing independent living centers and individuals with disabilities. NCIL has been instrumental in efforts to standardize requirements for consumer control in management and delivery of services provided through federally-funded independent living centers.

Until 1992, NCIL's efforts to foster consumer control and direction in independent living services through changes in federal legislation and regulations were coordinated through an extensive network and involvement of volunteers from independent living centers and other organizations around the country. Since 1992, NCIL has had a national office in Arlington, Virginia, just minutes by subway or car from the major centers of government in Washington, D.C. While NCIL continues to rely on the commitment and dedication of volunteers from around the country, the establishment of a national office with staff and other resources has strengthened its capacity to serve as the voice for independent living in matters of critical importance in eliminating discrimination and unequal treatment based on disability.

Today, NCIL is a strong voice for independent living in our nation's capital. With your participation, NCIL can deliver the message of independent living to even more people who are charged with the important responsibility of making laws and creating programs designed to assure equal rights for all.

ABOUT THE IL NET

This training program is sponsored by the IL NET, a collaborative project of the Independent Living Research Utilization (ILRU) of Houston and the National Council on Independent Living (NCIL).

The IL NET is a national training and technical assistance project working to strengthen the independent living movement by supporting Centers for Independent Living (CILs) and Statewide Independent Living Councils (SILCs).

IL NET activities include workshops, national teleconferences, technical assistance, on-line information, training materials, fact sheets, and other resource materials on operating, managing, and evaluating centers and SILCs.

The mission of the IL NET is to assist in building strong and effective CILs and SILCs which are led and staffed by people who practice the independent living philosophy.

The IL NET operates with these objectives:

- Assist CILs and SILCs in managing effective organizations by providing a continuum of information, training, and technical assistance.

- Assist CILs and SILCs to become strong community advocates/change agents by providing a continuum of information, training, and technical assistance.

- Assist CILs and SILCs to develop strong, consumer-responsive services by providing a continuum of information, training, and technical assistance.

Strengthening IL Board Leadership

LEARNING OBJECTIVES

Participants will be able to:

1. Integrate IL mission and philosophy with board functioning,
2. Clarify board and staff roles and responsibilities,
3. Identify, recruit, and develop potential leaders,
4. Avoid fiscal disasters,
5. Create and maintain an effective working relationship between the Executive Director and Board.

Exercising Community Leadership

A Resource and Training Manual for Consumer-Controlled Non-profit Boards of Directors Serving People with Disabilities

Excerpted, abridged, and adapted with permission, from "Exercising Community Leadership: A Resource and Training Manual for Consumer-Controlled Non-profit Boards of Directors Serving People with Disabilities in New York State," developed by the Council of Community Services of Northeastern New York, Inc., for the New York State Office of Advocate for Persons with Disabilities. Contributing editors to the original manual: Douglas Sauer, CSW; Meghan Johnston, MSW; Fred Newdom, ACSW; Lawrence F. Klepper, Attorney-at-Law; and Margaret L. Shreve. Contributing editors to the revised manual: Darrell Lynn Jones, Anne-Marie Hughey, and Fred Newdom, ACSW.

ACKNOWLEDGEMENTS

[These are the Acknowledgements from the original manual.]

This manual is a product of the knowledge of many people who are dedicated to the development of effective consumer-controlled non-profit organizations serving people with disabilities. A large amount of the material was previously developed by the Council of Community Services of Northeastern New York, Inc. and enhanced to make it pertinent.

Some sections of the report contain modified material derived from THE WHOLE PERSON, Inc., in Kansas City, Missouri and material produced by ILRU Research and Training Center on Independent Living, Houston, Texas. The people who made this possible include the following:

Fred Newdom and Doug Sauer of the Council of Community Services who spent many hours reviewing hundreds of pages of resource materials, made the tough decisions on what was to be included and what was not and prepared the final manual.

Maggie Shreve, a well-known trainer in the independent living movement out of Chicago, Illinois provided a considerable amount of printed material, advice and editing for all sections. Her sensitivity and commitment to the mission of Centers for Independent Living and the challenges faced by them is reflected in the quality and tone of the manual.

The New York State Office of Advocate for Persons with Disabilities that had the vision that such a manual was needed, arranged the supports and sponsorship for its publications and whose staff Rosemary Lamb, Tony Serra, Robert Boehlert, Roxane Offner, Julia Schechter, Laura Eisler, Cathy Giboe, Lisa Rosano-Kaczkowski and Kris Hodgson spent many hours discussing and editing the content.

Most of the section on legal responsibilities was developed by Lawrence F. Klepper, Attorney-at-Law.

I. INTRODUCTION

A. OVERVIEW

Citizen participation is a vital and important contributing factor in the quality of life in local communities and our society. Although to many volunteerism means helping in the delivery of direct services, it also refers to the time, effort and sacrifices board members of non-profit organizations make.

Board members are community leaders who assume a significant responsibility for addressing increasingly complex social ills and community problems. Volunteer board members make critical program and financial decisions every day that affect the lives of thousands of people, many of whom are vulnerable and in need. Although consumer-controlled organizations, such as Centers for Independent Living (CILs), have a very focused purpose and are organizationally unique, their boards of directors still need to adhere to basic rules of governance and accepted policy decision-making processes. Consumer-controlled non-profits are those whose boards of directors are predominantly made up of members who are, were or could be consumers of the organization's services.

A board of directors protects and represents the community that it serves, as well as the organization itself. Additionally, tax-exempt status brings a responsibility and accountability to government, consumers and the public. To keep such tax-exempt status, the board must adhere to an army of legal obligations.

The board of directors reflects the very essence of the non-profit corporation, namely that it exists for public benefit and that revenue generated is directed to an altruistic purpose. The board of directors must establish and continue the mission of the agency, develop and maintain programs to meet community needs in accordance with that mission and ensure that the programs are implemented by individuals (either paid or volunteer staff) capable of delivering the services. To be effective, board members need to be committed, possess both a working knowledge of generic board responsibilities and the agency's mission and operation, and be able to apply those skills and abilities to put that knowledge to work.

The concept of consumer control, specifically in the case of CILs and similar organizations, is based upon the belief that services to people with disabilities are best if consumers of those services determine their nature and hold service providers accountable for program quality. Consumer-controlled boards of directors combine two critical principles: community approval of the activities of non-profit organizations and the right of people to control decisions which affect their lives. All non-profit organizations, and especially those that are dedicated to consumer control, need to be continually active in the consideration of their privileges, values and mission.

This manual is designed to help current and potential board members, key volunteers and staff members prepare themselves for this responsibility and to offer methods for developing a dynamic and responsive board of directors. It is intended to be "user friendly" providing basic information in an easily accessible format. The manual covers a wide range of topics on a limited basis. Users or readers are strongly encouraged to review the wealth of materials on the subject that are available through libraries, colleges and universities and national organizations (such as United Way).

B. THE EVOLUTION OF BOARDS OF DIRECTORS

The role of non-profit boards differs somewhat by the type, size and professional character of each particular agency. As incorporated, tax-exempt entities [50l(c)(3)], CILs, like most human service agencies, are formed for charitable or educational purposes. Historically, non-profit boards were viewed as representing the charitable interests of a community's elite and wealthy, with minimal governmental funding of non-profits until the 1960s.

Government commitment to social programs, accompanied by a massive and growing infusion of funds, significantly altered the character and operation of boards during the 1960s. Government's financial involvement reflected a series of changing social values and forces affecting non-profits, including the following:

Formation of new non-profits

Non-profits have become a cost effective and convenient "vehicle" to implement government initiatives or programs. Public funding has stimulated the creation of thousands of non-profits, shaping their structure and programs. CILs are an example of this as most centers were founded as a direct result of federal and state government leadership and funding.

Increased public accountability

More government funding and leadership in agency and/or program design development have made non-profits more accountable to the taxpayer and government. As non-profits became a large tax-exempt "industry," regulatory efforts increased.

Public-voluntary partnership

Boards of directors increasingly find themselves needing to work in "partnership" with government in order to operate effective programs and to generate revenue. Federal, state and local government involvement in community affairs has changed the financial base of almost all agencies. Once an agency begins to receive government funds, it loses a degree of independence in decision-making. In addition, some government grants, such as those funding CILs, contractually require board participation and membership of constituents and consumers.

Promotion of citizen participation

One of the values emerging out of the 1960s was that there be greater participation on boards by those in the community who are usually not included in the decision-making process. Non-profits, therefore, became a means to "empower" local communities, particularly those people benefiting from their services. In the 1970s and '80s, this value declined in emphasis and was in part replaced by the "consumer" movement. Viewing people in need of services as consumers rather than "clients" or "cases" is a more accurate and appropriate portrayal. The name "consumer" conveys a stronger sense of empowerment and rights. The requirement by the Rehabilitation Act for CILs to have at least 51 perent of their board's membership be persons with disabilities is an example of a way to promote the values of citizen participation through mandates.

Professionalization of non-profits

With enhanced funding and the accompanying bureaucracy, the administration and services of non-profits have become increasingly complex and dependent on professionals. In some states, there are many requirements, for instance, for licensed professionals to provide certain services in order for the non-profit to receive public or third party insurance dollars. The extent to which the professionalization of community agencies enhances the organization's sensitivity to consumer involvement and satisfaction is still subject to question.

Need for greater coordination

With a more complex service system, comes the need for more cooperation and coordination between organizations. There is increased emphasis on matching funds and on collaborative interagency projects. The growth of community planning (i.e., need assessments) and the emergence of consortium programs for defined geographic areas means that agency boards must work together. Many agencies in the local community provide services for persons with disabilities. Although these organizations may not be consumer-driven, they have access to a broader array of resources than Centers for Independent Living might have. Developing effective and working interagency linkages through community relations, therefore, becomes a critical part of the agency's ability to out its carry mission.

II. MISSION OF CENTERS FOR INDEPENDENT LIVING

A. OVERVIEW

Non-profit organizations are created to fulfill a social purpose, to carry out a mission. Effective board members, and an effective board, are dependent on the successful performance of a series of functions and responsibilities.

Although their accomplishment will likely result in good management of the agency, it is critical that the board not lose focus as to the purpose of the organization.

The principle responsibility for the board and its members is to understand and believe in the mission of the organization. The mission serves as the context or fundamental perspective for all policy and management decisions.

Commitment to the cause or mission of the organization is the very foundation of consumer-controlled non-profits such as Centers for Independent Living. Centers are part of a national movement of people with disabilities who, along with others, work to challenge and change those public policies and traditional service systems that have prevented people with disabilities from being independent and meaningful participants in society.

CILs seek a common goal: enhancement of the ability of persons with all types of disabilities to determine their own destinies, to participate in all aspects of society and to contribute to, as well as to share their responsibility in, community life. To this end, centers pursue objectives that address the personal needs of consumers as well as improve social and environmental aspects of their local communities.

It is absolutely critical for board members, those with and without disabilities, to have a firm and working grasp of the mission, spirit, background and legal or contractual obligations and constraints of the agency.

This section provides an in-depth discussion on the special characteristics and challenges of consumer-controlled organizations and specifically, the independent living movement and the operation of CILs.

B. CONSUMER CONTROL*

1.) What is Consumer Control?

Consumer control is:

- choice
- significant participation in society
- authoritative influence and a role in decision-making
- the right to take risks
- having personal control over life choices, services and activities
- the exercise of power

Consumer control is tied to the same concepts of self-reliance and self-determination that are essential for all adults in our society. Whether disabled or not, people want and need to exert control over their own lives. When individuals have a sense of personal rights, they also have the confidence to act on those rights.

Consumer control in the independent living movement means that people with disabilities decide for themselves what services they want, how they want them delivered, by whom and in what context. This concept is essential to understanding how a Center for Independent Living functions and how CILs are different from traditional service providers. A Center for Independent Living is controlled by consumers (people with disabilities) by having at least a majority of people with disabilities on its board of directors, and represented on its staff and in its volunteer corps. A CIL's services are offered to people with disabilities only in a manner that the consumer controls. The advocacy in which a CIL engages must be decided upon and controlled by the consumers in the community served by that CIL.

---

*Material is modified from and based upon a draft monograph authored by Shreve, Griffin, Waldron, and Stoylman, Consumer Control.

2.) Why is Consumer Control Important?

Consumer control within the field of independent living is absolutely essential because it is the one concept that has been absent in the traditional service delivery system for people with disabilities. Consumer control over policies, within boards and staff and over services and advocacy, is what makes a CIL truly unique. Centers that adhere to the consumer control philosophy at all levels demonstrate responsiveness to the needs of a constituency that has been traditionally powerless.

In order to reverse this powerlessness, centers have adopted consumer control principles and applied them to practices throughout their operations. Consumers who set and pursue goals that are truly theirs are much more motivated toward independent living. It is consumer control that has strongly characterized the independent living movement organizationally, philosophically and programmatically.

Consumer control is a principle with many hurdles to face before being accepted by all programs and funding sources as a core element to independent living. Through evaluation by funding sources, particularly federal (Rehabilitation Services Administration, U.S. Department of Education) and state funding (e.g. Vocational Rehabilitation agencies) the consumer-control principle is being reinforced.

A consumer-run organization's mission and the philosophy that drives the mission are the only things that separate it from the traditional service agencies, such as United Cerebral Palsy (UCPA) and the Association for Retarded Children (ARC). While money makes an organization live and breathe, the method in which it is obtained can and will affect the success the organization has on persons with disabilities and their community.

The philosophy of the organization must be taken into account when the governing board develops its fund-raising strategy. A philosophy that promotes dignity, independence and a feeling of equality of persons with disabilities cannot be "sold" just to raise money.

A CIL cannot promote the positive aspects of having a disability and that a person with a disability can be "disabled and proud" and then use the same fund-raising methods that traditional charity organizations use. To do so, results in the undermining of the very mission of the organization.

The organization cannot say that persons with disabilities have a right to be equal and that they are the same as anyone else, while their fund-raising efforts highlight the miserable plight of "the poor handicapped." Potential donors should not be made to feel that they should be thankful they are not disabled. They should not be encouraged to be compassionate and out of sympathy or guilt give money so they can help those "poor, unfortunate, handicapped folks."

Despite the significant achievements of the movement, its advocates remain intensely focused on core principles - especially consumer control. Having established the principle, members of the movement now seek to assure that it is translated into practice. Since responsibility accompanies control, advocates are actively involved in clarifying the range of implications for policy and practice.

3.) Principles of Consumer Control

In many organizations, the active and continued consideration of principles, values and mission is compromised given day-to-day operational realities and/or "displaced goals." To be ultimately effective, all non-profits must provide such consideration on a continual basis. An advantage that consumer-controlled organizations have over other non-profits is that there is direct accountability to those served. There is, therefore, less likelihood that the organization will be able to "drift" from its fundamental purpose. Active and continued consideration of the basic purposes of the organization by the board in all major decisions is necessary for the formation of a critical consciousness that connects daily successes and dilemmas with the importance of consumer control.

If an agency is to succeed in its mission of supporting the achievement of consumer defined goals, on an individual and collective basis, the consumer control principle must be translated to strategic planning and everyday tactics. A consumer-controlled agency serving persons with disabilities is confronted by many challenges to its mission, but the most important is turning the mission into a tangible reality - actually accomplishing the goals and objectives set forth.

The translation of consumer-control principles into consumer-control practices results in the exercise of power by consumers over the organization itself, power by consumers over the services they require and the development of power by the organization within the community it serves. The latter includes the ability to effectively gain the support of those community members without disabilities and the institutional power structures.

Consumer-control practices must apply to:

- overall organizational decision-making
- policy development
- fundraising
- strategic planning
- staffing patterns
- hiring and promotional practices

- volunteer involvement
- approach to the community
- definition of target population (cross-disability)
- direction and type of independent living services offered
- priorities and types of advocacy activities conducted
- the ways in which the center and consumers are viewed by the community at large

The center practicing consumer control is respectful and supportive of consumers' rights in all ways, emphasizes equal access at every opportunity and is built on the premise that peer relationships (self-help) strengthen the agency.

Programmatically, consumer control focuses on:

- the methods for outreach
- how the consumer controls services offered
- methods for providing information
- facilitating referrals to other sources of support
- use of peer counseling as a role modeling and support mechanism
- ways in which skills training is provided
- how to assist a consumer to advocate for him or herself
- how the agency decides its priorities for systems advocacy
- methods to be used in advocating for change
- what services an agency should not offer due to inconsistency with the consumer control principle

The practical applications of the consumer-control principle must be flexible if the agency's services and advocacy represent and respond to the varying interests of consumers in the unique communities it serves. The principle of consumer control requires that the types of independent living services and advocacy be defined by consumer interests and goals that vary from time to time and from place to place. It is only through maintaining fluid and creative approaches to service delivery and agency operations (which have become characteristic of the independent living field) that agencies may maintain strict adherence to principle while being flexible in matters of practice.

4.) The Four Functional Areas Needing Attention

Consumer control is achieved and sustained by an organization that maintains the ability to be molded by its constituency. To implement consumer-control principles, four areas comprising the full range of agency functions and operations need attention: policy making; management of staff and volunteers; services; and advocacy.

Consumer Direction at the Policy Level

In non-profit corporations, the board of directors is the body elected to establish policy and oversee management of the affairs of the corporation. Each organization entrusts the business of setting policy and direction to this group. Since Centers for Independent Living are a product of consumer self-advocacy, it should follow that the board of directors is a group of people with disabilities knowledgeable about the desires and needs of consumers. So necessary is consumer control to the governing boards of centers that it is now a federal requirement in order to receive funding under Title VII, Part B of the Rehabilitation Act.

A board of directors has many responsibilities. One of the most important is establishment of the organization's mission. The mission must be defined within a philosophical framework and in, practical terms. It has been suggested that a mission is the organization's goal for what its community should look like in 50 years. Accordingly, in a CIL, the mission usually has to do with assisting individuals to live independently through services and advocacy and making the community served accessible, so that people with disabilities can live independently.

In order to achieve this mission, a center has to organize its work around specific goals and objectives. Policies are the manner in which these goals and objectives are expressed. The board of directors establishes goals and policies and hires staff to implement them. The board's role is to assure that goals and policies are carried out in a way that is appropriate to its mission and philosophy.

Consumer Involvement at the Staff Volunteer Levels

One may picture the process of consumer control within centers as a chain of events that begins and ends with consumers. The executive director, who is the first critical link in the chain, serves as the interface between the policy-making process and operations. He or she is responsible for maintaining consistency between the mission and policies of the organization and the management of the organization's resources to ensure achievement of goals.

The executive director's perspective on consumers and advocacy is a critical variable in his or her effectiveness in translating board policies into center practices. Consumer control in management staff, other than the executive director, is the second critical link in the chain. The importance placed on substantive participation and input by staff is a central consideration in maintaining adherence to the principle of consumer control on an operational level. Management staff is deeply involved in drafting policy for the executive director and board. If the work they do reflects consumer control in principle and practice, they will be providing a great service to the board while implementing policy clearly to those they manage and supervise.

There is no more critical link in the chain than the direct services staff and, in turn, the services provided by these staff. Services staff are the most important front line people within a center and the third critical link. In order to promote consumer control through role models, it is very helpful for direct services staff to be people with disabilities. In this sense, direct services staff are peers. By hiring people with disabilities in these positions, a center demonstrates its understanding of the need for consumer trust and acceptance, and the importance of credibility of staff.

It is just as important to solicit consumers for other staff roles as well. Hiring people with disabilities in support staff and clerical positions demonstrates the center's commitment to the consumer control principle and affirmative action policies. Support and clerical staff represent the fourth link in the chain. An often overlooked method for continuing and broadening consumer control within the implementation levels of a center is to recruit and place people with disabilities in volunteer positions. Volunteers can perform countless functions within a center - from board to clerical work. By promoting people with disabilities in these capacities, the center is strengthened and the individuals volunteering acquire new skills and confidence as well.

Consumer Control Over Services

While policy making, staffing and volunteer variables are key elements of consumer control within centers, the type of services provided is where the proverbial "rubber meets the road."

There is a rich and necessary diversity in service delivery methods of centers across the country. However, cutting across these differences are consistent elements that account for the unique approach and success of centers in their efforts to support the achievement of independent living goals. These elements include:

- a combination of direct services and systems advocacy
- the use of peer relationships within service delivery

- an approach which crosses major disability types (cross-disability)
- a firm commitment to consumers controlling their own independent living plans, goals and services
- an analysis which examines long-term effects as well as short-term outcomes

A primary element of the Center for Independent Living model is the marriage of direct services and advocacy. This dual emphasis provides the basis for a comprehensive response to consumer interests and priorities. It encompasses the range of strategies employed to empower consumers in their individual and collective self-advocacy efforts to achieve full participation and equal rights. This approach by centers is also a reflection of the overall movement perspective that recognizes, while people may have disabilities, it is the environment that creates and imposes handicapping conditions.

A second element contributing to a center's success is the role of peer relationships in service delivery. In a peer relationship, the two parties are equals. Their life experiences are similar and they have faced many of the same issues. It is a relationship built upon mutual respect and understanding. While people who do not have a disability may be able to empathize with the disability experience, they cannot know it.

The third element is a cross-disability approach within the center. The peer relationship is not viewed as a function of being labeled as belonging to this disability group or that disability group. It is the commonality of experience that serves as the bonding agent. Staffing patterns that reflect the practical value of peer relationships are the rule for implementation of consumer control over service delivery.

The fourth element representing a unique feature of centers is consumer control over the design and delivery of independent living services. The central characteristic of the service delivery process is that it is the consumer who has the primary responsibility for identifying needs, setting goals and achieving objectives of independent living services. This is a multi-level process ranging from the determination of which services are provided to the design of the service delivery system.

The fifth element is an analysis of how services may impact consumers now and into the future. Centers take time to examine consumer needs in light of what the community should be offering instead of always assuming that the center is the best or only provider. This analysis helps everyone involved with the center--board, staff, volunteers, consumers of service --realize where energy needs to be placed to create an accessible environment. A good example of this process is when a potential funding source offers a grant or contract to a center to provide a service that the center thinks should be provided by someone else, for example, the local transportation provider. The center's time and effort may be better spent working with the transportation provider to provide accessible service than in the center providing transportation services.

Consumer Control over the Advocacy Agenda

Advocacy is an essential element in a center's programmatic design.

Aside from the individualized services that may be offered by the center, there must be systematic advocacy efforts aimed at social or environmental change. The center practicing consumer control ensures that consumers are the decision makers over what advocacy activities will be pursued. Usually, it is the board that decides on the advocacy policies and priorities, while it is the staff, volunteers and consumers who engage in advocacy activities.

An understanding of center advocacy activities involves both knowledge and experience of the systemic problem to be solved and the skills to implement strategies and tactics that achieve the desired results. Generally, those needs identified by consumers as external or systemic barriers to achieving individual independent living goals are those requiring systemic advocacy. Since the center is providing services directly to those same consumers, it has built-in mechanisms for identifying external and systemic barriers. The patterns of need identified through feedback from the service delivery staff provide information that helps define advocacy efforts and priorities.

Other factors that contribute to the definition of advocacy efforts and priorities for centers (especially if centers are working together at regional or state levels) may include:

- a wide range of funding levels among centers
- differences between rural and urban settings and life-styles
- cultural issues in areas with significant ethnic or minority populations
- the political, social and economic climate of one area versus another

One more variable used in determining the focus of advocacy efforts is the object of the advocacy itself. For example, the response to a need for more curb cuts in a downtown area is much different than the response to repeated reports of patient abuse in a state-operated long-term care facility.

Each of these factors and variables help to shape a center's advocacy character. Through advocacy and service activities, individuals with disabilities gain skills, abilities and a greater understanding of how to affect the world in which they live. The involvement of and control by people with disabilities in a CIL's advocacy and service components is fundamental to the independent living mission of creating change to empower people with disabilities and providing services that expand individual and community options.

In summary, consumer control is the critical issue in a Center for Independent Living. It is broad in scope and must not be compromised. It means having a governing body with at least 51 percent of its members being people with disabilities. It means having people with disabilities in key management roles. It means having direct service staff with disabilities who work with consumers to define the consumer's own needs in their own terms and with their own solutions. It means having people with disabilities in support and clerical staff positions. It means involving volunteers with disabilities in the center's operations. It means having people with disabilities decide on the issues and methods for advocacy efforts. It means having the organization develop its goals based on the needs of the consumer versus the needs of the broader community.

To keep the grass roots nature of consumer control alive, an effective agency uses a process for making major organizational decisions that includes consumers from every level. For example, development of an annual plan should include a process where consumer desires, volunteers' views, staff opinions and the board's thinking are all included. If consumers are adequately represented at all levels of the organization, then the annual plan will truly reflect a consumer control perspective.

Cross-Disability Orientation

It is essential for a consumer-controlled organization serving persons with disabilities to maintain a cross disability orientation if it is to abide by the independent living movement's philosophy. It is easy to understand how it might be more convenient to serve only one disability group, but this negates the entire concept of shared experiences as people with disabilities.

It is important to ensure a cross-disability mix in all center operations including the board and staff positions. Many centers have learned through experience that having a person of a particular disability type on staff is the easiest way to attract consumers of that same disability to the organization. On the other side of that thought is the issue of making sure that one disability group understands the needs of another - a sure way to educate all groups is to have representatives of all groups involved in the organization.

It is critical that a center provide access for all types of disability groups - people who are mobility impaired, visually impaired, hearing impaired and mentally impaired, and emerging groups such as those with multiple chemical sensitivity. Architectural accessibility is an obvious physical requirement, but what about the provision of qualified interpreters for people who are hearing impaired? Does your center provide materials in Braille or on tape?

Does it have an assistive listening device? Are there provisions for communicating thoughts or concepts to people who cannot read? Talking about cross-disability is only a first step to actually involving people of all disability types.

III. LEGAL RESPONSIBILITIES OF BOARD MEMBERS

A. OVERVIEW

A board of directors is the legally constituted body responsible for the governance of a tax-exempt, non-profit corporation. Non-profit status is conferred by the state as part of its responsibility for approving the incorporation of organizations. Tax-exempt status is a federal designation provided by the Internal Revenue Service. CILs may apply for an exemption from taxes under Article 501(c)(3) of the Internal Revenue Code if they have filed the necessary papers with the state and IRS and been approved by each.

Being tax-exempt means that persons and organizations making contributions to the agency are, in most but not all cases, permitted to claim these donations as a deduction on income taxes. Non-profits are subject, however, to "unrelated business income tax" (UBIT) under the Internal Revenue Code when the source of income is from a trade or business, regularly carried on by the organization, is not related to the exempt purpose, and the revenues were obtained in conformity with the tax exempt purpose of the agency.

While the provisions of some states' not-for-profit corporation laws limit the liability of directors, officers and trustees of non-profit corporations, except in instances of gross negligence or intentional harm, some do not. And even where it is limited, a member of a board does not enjoy absolute immunity from lawsuits brought against him/her in the course of serving as a board member.

It is therefore important that board members acquaint themselves with their state's Not-for-Profit Corporation Law and federal laws and regulations, particularly those of the Internal Revenue Service. In general, board members can protect themselves from personal liability if they:

1. act in good faith and exercise reasonable diligence and care in the affairs of the corporation

2. are thoroughly acquainted with and follow the agency's by-laws and charter

3. attend board and assigned committee meetings

4. keep adequately informed of program activities

5. discourage business transactions between the corporation and directors, especially those where profit may be gained, unless conducted entirely openly and in compliance with applicable laws and the by-laws, and

6. oppose any board actions with which they disagree.

Indemnification or hold-harmless provisions (those which secure against loss, damage or penalty) of the by-laws may provide for meeting the expenses of defending a director accused of misconduct. These expenses include litigation costs and attorney's fees, unless the director is found guilty. The expenses may be paid either from corporate funds or through a liability insurance policy. These policies tend to be expensive for non-profit organizations, although state legislation in recent years has limited somewhat the liability exposure of directors.

Additionally, the by-laws should clearly define conflict of interest and the procedures to be followed by the board in the event that such a conflict exists or is perceived as existing.

Common Questions Potential or Current Board Members Might Ask

To what extent am I exposed to personal liability while serving as a director or officer?

In a modern society, acceptance of responsibilities always carries with it certain risks of personal liability. These risks, however, can be minimized. During volunteer services as a board member, exposure to personal liability can arise in extreme situations.

Such risk occurs primarily from a board member's failure to keep abreast of financial affairs of the corporation. Personal liability is usually linked with unethical or illegal conduct or gross negligence.

How can I be certain that periodic financial reports distributed to board members are accurate since I don't prepare them?

If you are acting in good faith, you have the right to rely on information, reports and financial data from reliable officers and employees of the corporation, counsel and public accountants for matters which are within their professional competence or properly designated board committees on which you do not serve. However, you must still use reasonable care, e.g. if a monthly financial report contains a $1,000 expenditure listed as "miscellaneous," you should ask for an explanation.

Under what circumstances might I incur personal liability as a board member?

You might be personally liable if:

- you do not discharge your duties in good faith,
- you fail to use the degree of diligence, care or skill of prudent persons (i.e. a careful or cautious person),
- you vote for, or concur in, any corporate actions prohibited by your state's

not-for-profit law, which result in harm or loss to the corporation and its members,

- you have caused the loss or waste of corporate assets, due to your neglect, failure to perform or other violation of duty as outlined in your state's law.

Give an example of a director's failure to discharge duties which might result in personal liability.

EXAMPLE: A long-term lease for office space is presented to your board for approval. It contains a rental payment calculated at $25.00 per square foot. No justification of the rental fee is presented to the board. The actual fair market value in that location is $10.00 a square foot. Without inquiring how the rental value is established, you vote for the motion or abstain. Abstention would be the same as concurrence. If a prudent person, under similar circumstances, would have been likely to inquire further about the high rental, you (and other board members) might be liable for any monetary loss to the corporation and its members, for failing to inquire how the rental value was determined. Had you asked the question, and were dissatisfied with the answer, you should have voted against the motion.

How can I avoid the risk of personal liability if I disagree with a board action?

If you believe that any proposed action of the board is improper:

a. Read the resolution carefully so that you understand its intent.

b. Vote against the objectionable resolution and ask the secretary to note your dissent on the record; or submit your dissent to the secretary in writing before adjournment; or send your dissent by mail to the secretary promptly after adjournment.

c. If you are absent, upon learning of the board's action, promptly send your dissent to the secretary by registered mail, to be filed with the minutes.

d. You cannot avoid personal liability by submitting a dissent in writing after you have voted in favor of a resolution you believe to be improper.

Give an example of gross negligence which might cause damage to third parties for which I might be held personally liable.

Whether a specific act, or failure to act, constitutes gross negligence is generally not known until long after the damage has occurred. One example might be the board's failure to authorize transfer of fire and liability insurance in connection with a move to a new office space. The fire or accident occurs after the move.

What immediate steps can a board member take to minimize the possibility of acting in a grossly negligent manner?

In general, suggestions for minimizing personal liability are also good guides to being an effective board member. Thus, the focus of a board member's energy should be on helping the organization work towards its goals. Thoughtful consideration of matters before the board will minimize the risk of personal liability. The following are also good ideas:

a. Maintain a personal file or loose-leaf book, with board minutes. Register an objection to approval of the minutes if they do not include all motions and actions taken at the last meeting.

b. Ask that all board members receive copies of the certificate of incorporation and by-laws of the corporation. If the purpose clause in the certificate of incorporation is out of date, ask that it be amended.

c. Inquire about the corporation's liability insurance coverage for personal injury and fire.

d. Obtain for yourself an umbrella liability policy, which is generally available at reasonable rates.

What immediate steps can a board member take to minimize the possibility of acting in a grossly negligent manner?

a. Attend board and committee meetings conscientiously so you stay current with your organization's activities.

b. Insist that your organization prepare a proposed budget for the year so that directors think about its activities in relation to income and expenses.

c. When proposals before the board involve significant financial consequences, insist on adequate time for a committee to consider the proposal and recommendation. At a minimum, make certain that everyone understands the proposal.

d. If board action is proposed which is not well thought out or documented, move to refer the proposal to a committee for consideration and recommendation.

e. When a motion is made or action proposed which you consider improper, note your dissent for the minutes.

f. If there is no regular financial report of income and expenses at each meeting, you should seriously consider whether to remain as a director on that board.

Are there other areas, no involving finances, where personal liability might be minimized?

Board members of non-profit boards, personally committed to equal opportunity and opposed to all forms of discrimination, often fail to recognize that they are employers, subject to penalties and civil liability for discrimination based on race, national origin, religion, disability, sex, age, and marital status. Consideration should be given to policies which will deal with human rights issues such as access for people with disabilities, sexual harassment, non-job-related qualifications, and age-related dismissals.

IV. BOARD ORGANIZATION

A. OVERVIEW

The organization of the board of directors and the way it conducts its business will ultimately determine the effectiveness of the agency for which it has the legal governance responsibility.

While the board's responsibilities and structure are generally described in the agency's by-laws and the laws governing non-profit corporations in your state, the policies and procedures by which the board carries out its mandates translate the relatively broad language into operational reality. To the extent that the by-laws are the corporate skeleton, the policies and procedures are the muscles and organs of the agency. They permit the organization to move and to carry out its mission.

The by-laws, for example, identify the standing committees of the board and usually provide for the ability to establish other committees, task forces and work groups necessary to accomplish the organization's objectives. Effective board and committee management identifies the specific tasks of the committee, the means by which the tasks will be carried out, the division of labor and authority between staff and committee members, the mechanisms for determining the committee's membership and the procedures by which the committee's work becomes translated into agency policy.

Centers need to maintain continual decision-making processes that involve consumers from various levels within the organization. A typical "problem" with many non-profit organizations occurs when the board of directors makes organizational decisions in a total vacuum or with input just from the executive director. Communication about organizational policies and procedures needs to flow from the center's own consumers to the board and from the board to the consumers in an effective and non-threatening way.

One way to establish this type of flow is through the use of committees and subcommittees. Since a great deal of the board's responsibilities require careful thought and deliberation, and since not all board members will be interested in every issue or knowledgeable about all subjects, committees are the logical structure for dividing work. Board committees do not need to be composed of board members only. In fact, a typical element of a well-functioning committee is a healthy mix of different types of people representing various interests and skills.

Recruitment of consumers, volunteers and staff onto board committees and subcommittees is an excellent method of involving people with disabilities in the on-going decision-making process. It allows for constant growth and offers individuals a wide range of opportunities for participation. A sample form for a board member's resume is included in Appendix A.

Another method for getting input from consumers in the decision-making process is through surveys. Some centers make use of consumer satisfaction questionnaires that also include questions about the center's direction, setting priorities for advocacy activities and what types of services are still needed. Other centers make use of mail surveys, through their newsletters or separate mailings, to obtain consumer opinion from the community at large. As long as the community sees the board and staff make use of such tools, they can remain effective.

Decisions must be made as to the boundaries between committees on tasks that could legitimately be assigned to more than one committee. For example, salaries are of concern to both finance and personnel committees. Agency services have significant implications for program, facilities and finance committees. The sequence by which the work of one committee flows into that of another must be similarly determined by the organization.

Beyond the management of the board, another major issue for the board is the means by which boards recruit, select and retain members. The board nominating process, again broadly outlined in the by-laws, is crucial to the creation of an effective governing structure. Not only is it critical to recruit people who can make a specific contribution to the board, it is also vital that the combination of skills, areas of expertise and personal styles combine to create a smoothly functioning, cohesive unit.

The following section on nomination of board members will provide an approach to board recruitment and assessment that can build an effective and constructive board of directors.

A compilation of agency policies, procedures and vital information should be available to each board member. Generally, this takes the form of a board manual. An outline for a complete and comprehensive manual is included in this Section. Not every board or agency will be at a level of development, complexity or sophistication to have a need for each item in the proposed outline. Rather, it is intended to present an exhaustive listing against which to measure an agency's manual. Identify areas for which policy and procedures should be developed and included in the material made available to the board.

Despite the level of an individual organization's sophistication, it is imperative that each member of the board and prospective members have easy access to and/or have information pertinent to the agency's functioning. Information is power and board members cannot exercise that power within the realm of their responsibilities without the necessary knowledge.

Assuming that effective structures for operating the agency and renewing the board are in place, another central role for the board of directors is to establish a sense of direction for the organization. This relates specifically to the planning function of the board. Without a clear sense of where the agency is going, it is impossible to determine the extent to which it has accomplished its goals.

The planning role of the board can be carried out in a variety of ways and encompasses a number of distinct management areas: programmatic, fiscal, personnel and facilities, among others. An agency may appear to function adequately on a day-to-day basis without a plan and a commitment to execute that plan. It will, however, be driven by events, funding opportunities and shifts in board and staff leadership and, therefore, lack the capacity to exert control over the agency's direction.

While a number of planning methodologies can be used, the critical issue is to make the commitment necessary to invest scarce resources in a sound planning process. Planning can appear to be far less important than the operational tasks which dominate both staff and board leadership and, at any given moment in time, it may well be.

However, the reality is that, over the long run, the absence of a plan will be destructive to the agency's pursuit of its mission, as well as its operations. Significant social problems, such as discrimination, are not going to be eliminated in the immediate future. It is the board's responsibility to consider the long run in the agency's life.

B. NOMINATING, RECRUITING AND RETAINING BOARD MEMBERS*

As previously stated, every tax-exempt 501(c) (3), non-profit corporation must have a board of directors and must minimally function in accordance with applicable laws.

Meeting minimal legal requirements does not necessarily mean, however, that an organization is effective and efficient in meeting its stated goals and objectives. Each board has a different chemistry among its membership with some being highly participatory while others are "rubber stamp" in behavior. A "rubber stamp" board routinely approves, with minimal discussion and debate, recommendations from its leadership and/or its executive director.

An often overlooked method for continuing and broadening consumer control is to recruit and place people with disabilities in volunteer positions. Volunteers can perform countless functions within a center - from board to clerical work. By promoting people with disabilities in these capacities, the center is strengthened and the individuals volunteering acquire new skills and confidence as well.

Because CILs are required to have boards that are a majority of persons with disabilities, they must identify and recruit persons who have the commitment, skill and knowledge necessary for the organization to effectively function. Additionally, centers need to have a "mix" of board members with disabilities. Without a representative mix, the community population with disabilities, as well as the broader community, could legitimately question the degree to which agency and program policy will adequately reflect the diverse needs of consumers.

An effective board will enhance the constituency base, the financial stability and the stature of the organization. Careful recruitment, selection, orientation and training of board members are key to developing an effective board. A nominating committee should carry out a year-round development process based on an assessment and evaluation of the organization's performance, needs and future within the context of the board's leadership role.

Leadership skills, teambuilding, on-going orientation, education, communication and sensitive placement of board members are all part of developing and maintaining a good board. The individual board member must be committed to the agency's purpose and programs, fund-raising efforts and public relations.

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*Material is modified from and based upon a draft monograph authored by Shreve, Griffin, Waldron, and Stoylman; Consumer Control.

The first step in initiating a nomination or membership process is to select the right people to serve on the nominating committee. This process should be spelled out in the by-laws. Many organizations have the board president appoint the chair and committee members.

It is not necessary that all members of the nominating committee be drawn from the board. Community leaders and advocates may sometimes be willing to serve on the committee while not being prepared to commit to service on the board itself. They frequently contribute enhanced objectivity and credibility to the process while expanding the pool of, and the agency's experience with, potential board members. The participation from non-board members on committees is a good testing and orientation method for recruiting future board members.

The next step is to assess the current board composition, preferably in an organized format, where one can easily identify the extent to which the board's strengths or weaknesses relate to the organization's needs. This analysis needs to be done sensitively and carefully, particularly with respect to criticisms that may be made regarding the performance of individual people or board members. The goal of this process is to be constructive, not destructive.

The nominating committee, or the board itself, may begin its process of recruitment through self-evaluation. The board's self-evaluation should be built around a pre-determined set of desirable board characteristics and values. First, it should ask current board members how they feel about being on the board, how effective the board is, what kinds of contributions they want to make in the future, etc. Then, it should account for the contributions of present board members and identify weaknesses that can be filled by new board members. To accomplish the second objective, a board matrix or grid can be of assistance. Samples of a board self-evaluation questionnaire are included in Appendix E.

Once all current board members have been assessed regarding their contributions, the nominating committee should be able to see the organization's needs. The committee may then target areas not covered.

A formal process which includes an opportunity for board members to reflect on their personal feelings about being on the board and an objective analysis of board strengths and weaknesses helps the board become more conscious of itself in relation to overall center operations. Further, it allows the organization to look for new board members who are not just filling a seat but who will be able to make significant contributions to the effectiveness of the organization.

The committee also needs to assess qualities required of potential officers and make plans accordingly. Only in exceptional circumstances should individuals who are not or have not previously been on the board be considered for nomination as an officer.

Once the committee has established a sense of direction, based on identified organizational needs, it should begin to closely evaluate, in a sensitive and confidential manner, potential board members and initiate recruitment. It should take care, for example, in contacting potential board members when there may be a likelihood that the committee may not eventually recommend the person or the full board may not act favorably on the recommendation or there may be dissension because it is felt that the prospective board member does not possess the qualities needed.

The next step is finding the appropriate individuals. This is often accomplished most effectively on an annual basis, perhaps because there is a more concentrated push to locate nominees before the annual meeting than at any other time. Constant recruitment can be time consuming but may help the well-organized board spread its recruitment responsibilities over the course of the entire year. The board member who fills a mid-year vacancy, however, does not seem to reap the same benefits from orientation that a group of new board members gain when they come on the board together. Both annual and on-going recruitment methods need to be considered to maintain an effective board.

Recruitment involves contacting individuals and organizations that know the center and who can commit themselves or refer to others who can commit to the independent living philosophy. Most importantly, the board needs to find qualified people with disabilities who are committed to independent living. This means direct contact with all relevant groups and individuals. Examples of groups that might suggest potential board members include:

- past and current staff
- state and national associations of CILs
- state and local councils and offices of the disabled
- past and current board members
- funding sources
- business people
- professional organizations
- consumers and members
- other service providers
- community leaders

- elected and appointed officials

- other disability advocates and organizations

Persons being sought for board membership may be asked to submit a resume and cover letter explaining why they would like to be on the board. Members of the nominating committee may take potential nominees to lunch or conduct some other type of informal interview to see if there is substantial interest on both sides. A process such as this can be extremely important to a center because of the complexity of center operations and values.

The importance of a potential board member's first contacts with the organization cannot be over-emphasized. The nominating chair carries the responsibility of being sure that each potential board member understands exactly what would be required of him/her on the board - time, money, skills, knowledge, and influence. If a candidate is unwilling or unable to meet these expectations, it is generally better to find this out before he/she gets on the board and is then either too busy to participate, is bored and drops out, a conflict of interest is discovered or he/she fails to live up to the obligations.

All too often, individuals agree to serve on boards without understanding the level of commitment required for the task. These individuals may end up resigning from the board or inactively continuing in the role because they are unable or unwilling to spend enough time and energy. Those who continue but are not active are essentially taking up room where more committed individuals might serve. Board members must be ready to "roll up their sleeves" and participate actively in the center's activities. In recruiting board members, it is critical that individuals are aware of actual expectations regarding their involvement.

During an interview stage, the committee may understand better the individual's philosophy of independent living and disability rights. It is increasingly apparent to many working in the independent living field that having a disability does not always guarantee a commitment to the independent living movement and consumer control. For an individual with a disability to be an effective board member, there must be an adequate alignment with the center's philosophy and approach. It may be that new board members do not understand fully the implications of consumer control at first, but they must be predisposed to the philosophy. A thorough orientation of new board members can help bring them to a fuller understanding of the movement and its implications for operating a center.

Too often, interested board members are successfully recruited by organizations but are not retained due to insufficient orientation and lack of opportunities to be meaningfully involved. New board members usually know relatively little about the organization's operations and lack adequate familiarity and working relationships with peer board members and staff. Development and distribution of a comprehensive board manual, when coupled with structured discussion sessions led by board and committee chairs can help ensure a common knowledge base among members and facilitate dialogue.

A structured orientation should be available for all incoming board members. A board orientation session ought to precede the first meeting of the year for a board. It should include substantive descriptions of board expectations and program operations, key staff introductions and ample time for questions. Board orientation is discussed in further depth in the section that follows.

While the executive director ought to be aware when board members are not meeting their responsibilities, it is extremely difficult and not appropriate, nor advisable, for the executive director to be in the position of holding board members accountable. Board leadership and, particularly the president, must assume this responsibility as a peer. In most cases, it is safe to assume that board members who have been missing meetings, or have not followed through on assignments, are very aware of their failings and are receptive to talk about it. Still those situations need to be handled sensitively, particularly if a resignation is needed.

If the recruitment and selection process is done thoroughly and thoughtfully, new board members who meet the needs of the organization will be found. In making their final selection, the board will know:

- they have chosen individuals who match the characteristics needed on the board
- they have chosen individuals from the broadest available pool of potential members
- they have chosen individuals who know enough about the organization and requirements of the job to be a committed board member
- they have chosen board members who believe in the independent living philosophy

C. BOARD ORIENTATION

Because the board is not exposed to consumer control issues on a daily basis, as is staff, the board orientation process must be structured and thorough and not completed in haste. This is an area where centers cannot afford to be lax. A CIL cannot simply think that the board members recently elected understand the philosophy of the organization. When a critical decision has to be made, they may find that the new board members do not grasp the consumer-control concepts well enough to make the right decision. Board orientation must be comprehensive in content and conducted in a manner that clearly facilitates the depth of understanding needed for an effective board.

There are a number of content areas that should be covered in a board orientation. One area is providing detailed information about the history of the independent living movement. Sharing this information with new board members gives them a clear sense of what independent living is all about and how it differs from other service approaches. When people understand the origins of the movement, they can begin to comprehend the significance of the legacy they are being asked to carry forward within their own centers. Another important area is assisting new members to gain a thorough understanding of the independent living philosophy. It is not only important to mention the tenets of the philosophy but also to assist new board members to understand what these tenets mean on a practical every day level.

Some of the issues related to philosophy that should be presented and discussed with new board members are:

- the meaning of consumer control
- cross-disability representation and involvement
- community-based services
- civil rights and advocacy
- self-help concepts and mechanisms

The board members who understand the philosophy and who always ask, "What is right?" will provide tremendous service to the agency. When boards understand the relevance of the independent living philosophy, when they have integrated it into their knowledge and beliefs, they will use it as a basis for all decisions. These decisions will reflect the strength of the independent living movement.

The history of the organization itself is another area to cover in orientation. The organization's history, to a large degree, has created the organization's current culture. By knowing the organization's history, new board members begin to get a real sense of what the organization is and how its past decisions have affected current operations.

The organization's history grounds its philosophy in practice. New members, by learning the agency's history, are able to see how the philosophy has affected growth, development and decision making. It is important to address issues that have proved to be problematic or difficult for the board. For example, the possibility that the board may be involved in filing a class-action discrimination suit, challenging the local political structure, should be thoroughly discussed. As part of sharing the history and development of the agency, it is also important to bring new board members up-to-date on current policies and procedures. A policies and procedures manual should be given to new board members as part of the orientation process. In those organizations where such a manual has yet to be developed or compiled, copies of various policies and organizational documents should be given to new board members.

The final component of an effective orientation is information about the board itself. In an organization where the board is very involved, it is possible to lose clarity over the board's role. Information about how the board functions, descriptions of various committees and information about the role of the board is essential. Any "rules" the board follows should be provided, including those informal rules or structures that many boards develop over time. Effective boards set a tone where questions are encouraged and healthy discussion is a good part of every meeting, where "hidden agendas" are not tolerated and where any heated debates take place during the meeting and not after the meeting is over. Effective boards also review materials sent to them in advance and come to meetings prepared to discuss the issues listed on the agenda. Interpersonal conflicts and gossip are not evident in an effective board.

Board members who have been serving for a long time tend to become too acquainted with what the agency is doing and stop asking questions. This is one of the best reasons for having new board members who are unafraid to ask the "dumb" questions. New board members are generally more likely to see questions and raise issues that long-standing board members miss.

There are a number of methods for providing board orientation. It is wise to choose a method or any combination of methods that ensure a comprehensive process.

It is helpful to have a manual. A written document, with contents suggested later in this Section, gives new board members a detailed information base they could not get through verbal presentations or through meetings. Additionally, a manual can be referred to over and over again as time moves on and the need for specific information crops up.

To ensure adequate integration and understanding of all of this information, other formats are needed. Generally, some sort of group presentation that covers information about the organization and its programs is used. This provides new board members with an opportunity to meet each other, meet other board members and some staff. This also provides an opportunity to ask questions about the overwhelming amount of information they are receiving.

Other group methods for orientation include a retreat of the board that can be a full day to two-day event. Planning sessions, which can also take place in the form of a retreat, help new board members integrate what they have learned quickly. It is not uncommon for boards to retain a "neutral" group facilitator to help navigate them through the agenda and discussion of a retreat. Social events should not be ignored as another way to get board members to know each other and to feel comfortable as a part of the board.

A "buddy system" has been effectively used in many agencies. In this process, an experienced board member takes responsibility for helping a new board member learn about the organization. The buddy system begins as soon as the new board member is elected or actively serving on the board and ends once the new member feels comfortable on his or her own. Usually, the veteran board member calls upon the new board member as soon as the election is final to arrange a meeting to go over orientation materials. The veteran is then available to answer any questions the new board member has. Most new board members should be comfortably oriented to their positions within three to six months but it can be longer.

The buddy approach is helpful because it acknowledges what happens to most individuals when they join a new group. People often feel vulnerable in these situations because of a strong need for group acceptance. They might be reticent to ask questions of the whole group because they fear disapproving response. One to one contact allows the new board member a greater degree of safety and the chance to ask without fear of embarrassment. This method can be helpful in building the trust necessary for board members to interact without fear of ridicule.

Each method can be used alone but they are likely to be more useful if combined. In combination, these methods provide a breadth of experience that should bring about the consistency and thoroughness needed for an effective consumer controlled board of directors.

D. ON-GOING BOARD TRAINING AND DEVELOPMENT

The process of board training and development is intended to increase the skills and abilities of its members. Because a center's board is involved in the disability community, a by-product of board training and development is capacity building in the disability community as a whole. By strengthening the abilities of the agency's board members, the agency and the disability community is strengthened too. This increased strength is an asset to development and maintenance of consumer control.

To maintain consumer control, board training and development should be part of a planned effort included in the CIL's overall operations. To do this effectively, it is useful to assess the development needs of the board on an annual basis and then admit a concrete training plan to meet those needs.

The assessment process can begin by looking at the issues confronting the agency and determining board members' skills in relation to those issues. Some issues may require greater knowledge on the part of board members than they already have. For example, a CIL may be planning to extend its services to a new disability population. The board may need training on the needs and issues facing that particular disability group. A sensible way to bring the board up-to-date is to ask consumer representatives of the targeted group to make a presentation to the board immediately prior to or perhaps during a board meeting.

Another example may be more related to skills. The board may need to learn about fund raising so that it can begin to map out its plans for securing new or private funding. In a case like fund raising, bringing a consultant in to work with a small group (like a committee) might work best. The consultant could provide an overview of fund raising to the entire board, but work in a concentrated fashion with the group which plans to become the board's experts on fund raising. Or, board members might go to an outside conference or workshop on fund raising and bring back what they learned to the entire group.

The agency planning to undertake a new advocacy initiative may need more training on the processes available or on the issue. If a legal entanglement is possible, the board may want to meet with a lawyer before getting too far along in the advocacy effort. Training in group process, communication skills or use of committees might be necessary for any number of subjects. The first step in planning for on-going training is to define the concerns facing the board, identify the skills needed to address those concerns and to find methods for provision of training.

The next step is to choose the training methods that fit the situation and the board's desire best. One method is to send members to outside sources on specific topics or to gain certain skills. Often, such training is expensive but it does have its advantages. Sending people to workshops provides an atmosphere where they can learn how other organizations operate and start to expand their understanding of non-profits generally.

Individuals who participate in outside training are often rejuvenated and refreshed by new perspectives that outside training can offer. When such training is of high quality and focused on development needs of the board, it contributes much to effective board functioning. Another training option is to hire a consultant or trainer. A major advantage of this method is that the training can be tailored to the specific needs of the organization. Involving all board members in the same training allows the board to grow and learn together. The new information from the training can be reinforced through specific uses by all board members. One of the problems with outside training is that it often does not get used once the participants are back home. Providing training through consultation can alleviate this concern.

There are a number of other ways to provide training that costs less for an agency. A board or staff member who is knowledgeable in a specific area can provide training to other members. Individuals from other non-profits often provide training at low or no cost to other non-profits. United Way organizations usually provide free training in various management areas to agencies for whom they provide funding and sometimes for the non-profit community as a whole. Board members and staff can form a study group to learn about a new subject by identifying resources and materials, completing individualized specific readings and then discussing the information in a meeting or regular meetings. Finally, a number of organizations can get together to hire a consultant to provide training to several organizations at once, thereby reducing the overall cost for each.

Board training and development does not need to be expensive. It must, however, be planned to ensure that it is meeting needs germane to the center. It needs to be provided in such a manner that it enhances continued use of what is learned. When training occurs in this manner, it provides the CIL with the skills and capabilities that allow it to develop an empowered consumer-controlled board geared toward leadership and growth.

E. SUGGESTED CONTENTS AND ORGANIZATION OF A BOARD MANUAL

#	Sections	Contents
1	Board Organization	- Board member duties and responsibilities - By-laws - Board members addresses and telephones - Committee assignments, including staff - Incorporation papers - Committee organizational chart - Board calendar
2	Organization's Background	- History of independent living movement and organization - Annual report for 2 years - Relation to other agencies - Relation to national, regional or state organizations - Organizational goals and objectives
3	Personnel	- Board committee charge, including relationship to staff - Personnel policies - Job descriptions - Evaluation system - Staff chart - Salary ranges
4	Financial	- Board committee charge, including relationship to staff - Annual audit (may be presented separately) - Sources of funding - Annual budget, by program - Fund-raising policies and plans - Investments - Property - Insurance - Fiscal Calendar

5	Program	- Board committee charge, including relationship to staff - Board committee annual report - Program descriptions - Program evaluation system description - Program evaluation results from previous year
6	Strategic or Long-Range Plan	- Entire written plan

F. BOARD COMMITTEE STRUCTURE

Committees are a catalyst for board member involvement that is goal driven and flexible in operation. Related to a specific set of tasks, committees are established for a range of reasons including the need to distribute board workload, develop a focus in a particular area, save time or even to kill an idea or project.

An effective committee is one that is clear about its responsibilities and relationships to other committees and the board, is flexible over time, has a clear charge and work plan and is able to handle disagreement.

Some non-profits lack an established working committee structure to oversee primary functions of the organization, while others tend to have an abundance of committees. There is a danger in establishing more committees than volunteers and/or staff time can support. Too many committee meetings, coupled with a perceived lack of productivity or purpose, generate volunteer apathy and discontent. People's time is valuable and, therefore, must be respected accordingly.

Committees shouldn't meet when there is no work. If the established goals of a committee are accomplished or there is no business for the committee to handle, it should disband. At the very least, members' time should not be taken up with unnecessary meetings.

A board organizational or committee "flow chart" can help separate board and executive director roles and keep committees from infringing on the administrative role. A board personnel committee that hires or fires staff, for example, is a classic example of a committee that has improperly usurped administrative power.

It is good to broaden some committees, especially those of a more programmatic nature, beyond board membership to include staff, consumers and interested community members in addition to board members. Committee participation by non-board members can breathe fresh air into the organization, provide a perspective not otherwise provided, and serve as a testing ground for potential board members.

To set up a committee system, the board must consider:

1. what to expect (the charge, results or products) from committees, including the level of authority the committee has in relation to the full board and staff;

2 who to appoint as chairperson of each committee and the role of the president and executive director in that process;

3. who to appoint as committee members (including if and when to involve non-board members on committees) and the role of the

committee chair, board president and executive director in that process;

4. the level of staff services (through volunteers and/or agency employees) to be provided to each committee;

5. how the board wants to take action on committee recommendations and/or reports; and

6. a timetable indicating, or a method to determine, when a committee's work is done and, if an ad hoc committee, it can be disbanded.

To hold productive meetings, consideration needs to be given to:

1. the development and use of an agenda;

2. what goes into minutes - should they be action oriented (e.g., reporting decisions) or describe the group process where it is deemed important;

3. effective use of parliamentary procedure;

4. strategies for overcoming common meeting problems;

5. problem-solving techniques;

6. whether consensus is necessary for decisions or a majority vote is okay;

7. where to meet so that there is maximum attendance and productive meetings (including barrier-free access); and

8. making the meeting efficient in terms of people's time and opportunities to participate.

G. KEYS TO A SUCCESSFUL COMMITTEE

1. Pick a chair with interest, time, knowledge and skills in the subject area - one who is a leader, as well as a listener, and who is a board member.

2. Establish, in writing, clear goals and objectives to be accomplished within a realistic time frame.

3. Don't make the committee too small or too large – generally 5-8 people allow for an efficient committee process.

4. Appoint members who have the interest, time, knowledge and skills necessary - and are compatible.

5. Have the committee, through the chairperson, report progress, or lack of progress, regularly to the board.

6. Follow parliamentary procedures, as needed.

7. Make sure that committees with "overlapping" responsibilities or subject areas share information and coordinate common areas of decision making.

8. Allow time for discussion and group process, but make sure decisions and recommendations are presented to the board in a way which clarifies the issues and defends the recommendation without distorting the basis for the committee's action.

9. Staff the committee as necessary, including the writing and timely distribution of minutes, meeting notices, agendas, etc.

10. Evaluate work (thus the committee) regularly.

11. Good attendance and active participation.

V. PLANNING

A. OVERVIEW

Planning provides a road map for the organization's future; it is a process that never ends. It offers direction, guideposts along the way to assure that you are on the right track and a picture of what is necessary to complete the trip. Planning is a very powerful tool that continuously takes the pulse of the community and the agency, assesses the situation and outlines ways to best meet needs. Without a plan, the agency is liable to be a captive of external events rather than being able to chart its own course. It may become an agency that is "managed by crisis." The board must set policy direction concerning activities to be undertaken and determine the emphasis the agency will place on each activity regarding the assignment of resources. The board needs to make a commitment to planning - to investing staff and board resources necessary to achieve a solid outcome. Group process will generate the "product" of the planning process.

Beyond providing a general sense of direction, planning also:

- provides a source of future direction
- provides a basis for assessing success of past and current efforts
- makes the budget process more rational
- allows development of adequate fund-raising plans
- demonstrates assurance of seriousness of effort and soundness of the process to funding sources and the public
- permits adequate implementation time for programs and projects
- heightens the sense of continuity and focused purpose

The tasks involved in planning include:

- assuring the relevance of the agency's mission in light of current and anticipated events
- establishing reasonable yearly goals for the agency
- developing objectives, designed to carry out the goals, stated in measurable terms; creating a work plan meeting objectives which include the steps necessary to achieve objectives, a target date for each action step and designation of the party(ies) responsible for the step
- setting long-range (three to five year) goals for the agency

- assigning relative priorities to the goals

- evaluating agency performance in relationship to goals and objectives and modifying the plan as necessary

- identifying resources to meet the agency's goals and generating a plan to secure those resources, including raising necessary funds

Increasingly, non-profits are expanding the concept of planning to more of a marketing approach. Simply stated, marketing merges planning with communications and promotional strategies. Non-profits have traditionally relied heavily on identifying needs and the technical development of what "ought" to be a responsive program. Promoting the program has tended to be more of an afterthought as opposed to incorporating promotional strategies into the program design.

B. PROCESS

Deciding on the planning process for an agency should be the responsibility of one group within the structure. Some agencies use program committees, some establish planning committees and still others use executive committees for this purpose. Whichever group is responsible for the plan, a thoughtful planning process involves serious commitment of board and staff time and resources.

A sound planning process requires:

- some evaluation of the current plan or agency performance

- a review of the agency's internal ability to implement a plan

- an assessment of factors in the environment (e.g., funding opportunities, change in public policy, relevant laws) having impact on the agency's mission

- participation by the other board committees, key staff, consumers and others from the community

- substantial time at a number of board meetings to review successive draft plans to see it they reflect the direction in which the agency should move and resources available

C. FOUR BASIC ELEMENTS IN THE PLANNING PROCESS

Planning is a series of decisions characterized by the need and the desire to perform a thorough analysis and to do as good a job as reasonable under the circumstances.

I. **Goals** are generally long-term statements that describe what you envision, what you want to achieve, the purposes of the agency, the ends.

II. **Objectives** describe what you are going to achieve toward your goals in the short term. Objectives consist of time frames and measurable results.

III. **Action Steps** identify (in concrete and specific terms) the ways to accomplish the objectives. Action steps describe your methods and strategies.

IV. **Evaluate** the overall plan as a way to check progress and results and alter or update the plan as needed. Planning expresses and clarifies the identity and purpose of your agency by developing goals and objectives and by expressing what the agency's preferences are among the goals and objectives.

Planning also involves the search for programs that could help to achieve these objectives. Programs, of course, cost money and consume resources. Since it is assumed that there will never be enough resources to achieve all the agency's goals and to carry out all the programs it would like to offer, the board must pick and choose.

These priority selections are based on the goals and on the impact a program has toward achieving goals. Determining which goals are most important and determining the impact a program may have on a goal are both value judgments, not scientific results. The board of directors, representing a collection of individuals, must somehow make an informed decision on these value judgments. Making these judgments is a very difficult task and must be based on accurate information.

D. INTEREST GROUPS

Decisions, priorities, and values are part of a process that needs to be both rational and political. Interest groups are, therefore, a most critical consideration for consumer-controlled organizations. The need for a consumer-controlled organization to incorporate representational interests in decision-making processes while being efficient and effective is a major organizational challenge. Generally speaking, interest groups are those people whose opinions and judgments should be considered in the planning process, either because of their personal circumstances (i.e., disability or socio-economic status), professional or civic role or their associations.

Interest groups need to be clearly identified for two important reasons:

1. They help to ensure that the planning process and results will be sensitive to the input of these groups and responsive to their needs.

2. They help to specify guidelines for resolving conflicts that are bound to occur between these groups.

Interest groups generally fall into three categories:

1. groups that can and will make political, financial or participating input into the process
2. groups whose needs and wants the agency hopes to satisfy
3. regulatory agencies - both legal and unofficial - that are of concern primarily because of the limits they set on the agency and the standards they promote.

E. LONG-RANGE PLANNING

Long-range planning, over one year, is a process of continuous refinement of projections and continuous reassessment of aims. In today's complex and competitive environment, traditional management approaches are no longer sufficient. What is needed is a broader framework, one that integrates long-term objectives with short-term action plans. Strategic long-range planning allows the opportunity to prepare and adjust to what may be coming up in the agency's environment in the near future. It is a chance to prepare for opportunities to build more responsiveness into the organization.

Strategic long-range planning is a particularly valuable tool for consumer-controlled organizations as it not only examines what is but also looks at the future through the lens of the organization's mission. It aims at achieving what could be or ought to be. There are several very good models for strategic long-range planning. These are all basically issue-driven. In other words, they tackle a series of single issues (opportunities and threats) that are defined as:

- any external or internal trend, event or development that might impact on the organization's performance
- any issue the organization may have to respond to by devoting a portion of its resources
- any issue over which the organization may expect to exert some influence

Strategic long-range planning is generally accomplished through a board level committee process. Pertinent information is gathered and analyzed, with specific recommendations developed as to the organization's future. Components that are usually examined include:

- the organization's environment or "marketplace" (trends, developments and events)
- assessment of the organization's resources with respect to the environment or community needs

- establishment of a direction for the future (including objectives)
- development of strategies or specific courses of action to deal with the critical issues identified and to achieve the stated objectives
- implementation of the selected action steps, and evaluation of the actual results with the desired results

It is often helpful for boards to seek outside assistance in the formal planning process, particularly in the early stages. This may be done through professional consultation or facilitation services.

VI. PERSONNEL RESPONSIBILITIES

A. OVERVIEW

One of the areas of board involvement in the life of the agency most filled with potential for difficulty is the relationship between board and staff. The essence of the board role in this area is to create policies regarding personnel that permit the executive director to manage the agency under the clearest possible guidelines. If there is one place where policy is made by the board and executed by staff, this is the place.

Board members will naturally relate to staff, communicate with them around a number of entirely legitimate areas and develop perceptions of staff competence, relationships and issues. These are all unavoidable and reasonable. When board interaction with staff includes offering direction, becoming involved in supervisory issues, and involved in personnel administration, then the board member has crossed the line which separates the legitimate board role from the responsibility of the staff leadership. Such behavior undermines executive authority and, ultimately, leads to a climate in which it is impossible for the agency to carry out its mission.

The policy role of the board in relation to personnel is most directly expressed in the creation of personnel policies or practices. These policies define the contractual relationship between the agency and its staff and are the legally binding statement (within the context of applicable labor laws) of the mutual responsibility and obligations of the organization and its employees. They define hiring and dismissal procedures, vacation and leave policy, employee benefits, staff evaluation, hours and terms of employment and other elements of the relationship between staff and agency. Model personnel practices and a compilation of topics for inclusion in such policies are included in Appendix C.

B. OUTLINE OF CRITICAL COMPONENTS OF A PERSONNEL POLICY

The following are major elements for inclusion in a non-profit's personnel policies. Items listed within categories are suggested for discussion only and are not necessarily recommended as standard or absolute topics.

STATEMENT OF PHILOSOPHY

- history, goals and philosophy of organization
- general management principles
- availability and use of personnel policies, job descriptions, procedural operating manuals, handbooks for consumers of service, etc.

ORGANIZATIONAL STRUCTURE

- definition of roles (board members/officers/chairs, executive director, staff)
- description of board committees
- decision-making procedures (who decides what, what is the procedure)

  e.g.: job assignments
  program changes
  policy changes
  contact with consumers
  staff input into meetings
  schedule changes
  facility concerns

HIRING PRACTICES AND SALARY ADMINISTRATION

- definition of types of employees (FT, PT, contractual)
- anti-discrimination policies and procedures (Affirmative Action and Equal Employment Opportunities)
- application and interview process
- job descriptions (may also be included as addenda to policy)
- contracts/letters of hire
- health screening
- personnel files
- orientation of new staff
- probationary period (new/promoted employees/employers under special services)
- evaluation procedure (self/supervisor/director/personnel committee)
- pay scale
- pay period
- payroll deductions (mandatory/additional options)

STAFF DEVELOPMENT

- who handles requests
- center-based in-service training
- conferences
- continuing education

HOURS

- regular work week
- outside limits of working day
- special agreements/flex-time
- changes - notice required
- overtime and compensation time

EMPLOYEE BENEFITS

A. Vacation/Holiday Time

- who is eligible (FT/PT permanent staff)
- list of holidays
- accrual rate for vacation time/total days per year
- procedure for requesting vacation time
- payment for accrued time upon resignation
- bad weather policy
- holiday pay for holidays worked

B. Sick Time

- who is eligible
- accrual rate/days per year
- limit on accumulation
- use of sick time (own illness/doctor visit)
- payment for accrued time upon resignation
- procedure for notification (including notification)
- extended sick leave, illness/family member time of

C. Personal Time

- who is eligible
- accrual rate/days per year
- payment for accrued time upon resignation
- allowable uses

D. Health Insurance

- who is eligible
- co-payment
- insurer/coverage

E. Disability Insurance

- mandatory/elective

F. Tuition Reduction for Employees

- who is eligible
- amount of reductions
- family members

G. Maternity Leave/Parenting Leave

- notification date
- return to same title/pay rate
- use of sick/vacation/personal time toward leave
- treatment of short-term disability re: disability payments
- total length of unpaid leave
- status of health insurance during leave

H. Educational Leave

- eligibility
- length of leave
- return to same title/pay rate

I. Other

- jury duty
- voting
- death in the family
- military or reserve duty

REIMBURSEMENT OF EMPLOYEE EXPENSES

- mileage/conference cost/materials
- procedure for reimbursement
- use of employee vehicle for center business

TERMINATION/RESIGNATION

- definitions of separation causes
- conditions for termination (gross negligence, poor performance, etc.
- process for termination - who are the players
  on-going supervision

    - verbal comments
    - written warning
    - probation
    - termination
- conditions for immediate probation
- conditions for immediate dismissal
- layoffs
- notice of resignation
- training of successor
- reference letter or reference information left in personnel file

GRIEVANCE PROCEDURE

- role of employee's immediate supervisor
- role of center director
- role of personnel committee
- role of board of directors

AMENDMENT PROCESS

- written notification to board 10 days before meeting
- approval by majority vote of board

C. BOARD - STAFF RELATIONS

As a rule, the board assumes policy-making responsibilities for the organization and staff are responsible for implementation and the day-to-day decision making. Maintaining a comfortable, healthy and meaningful climate for communication between board and staff is critical to the effective and stable operation of a non-profit organization. The board of an agency and its staff must work in harmonious partnership to further their common goals of service provision. While each group has its own responsibilities and duties, there is a wide overlap in many functions. This is particularly true in developing objectives and the resources to achieve them. Board and staff must be seen as working together because they are jointly responsible to the community for the satisfactory operation of the agency.

Communication, trust and understanding between board and staff are necessary for a vital organization. If the relationship between the board chair and the executive director is sound, the chances are good that this attitude will permeate the entire organization. There must be clear lines of communication, accountability, cooperation and a clear understanding of roles and responsibilities.

Non-profits vary, depending on size, administrative structure, purpose and style, in the amount and quality of interaction that exists between board and staff. Most organizations limit board member contact with non-administrative staff, or in many instances, staff other than the executive director or designees. Board members need to be sensitive to, and respectful of the executive director's authority with staff and guide their conduct accordingly. In most instances, it is the role of the executive director to convey board policy to staff and to convey administrative and staff concerns to the board.

The two most singularly powerful positions in a non-profit organization are the president of the board of directors and the executive director of the agency. The president is the volunteer leader of the organization, representing the policy and legal functions of the board. The executive director is the person responsible for administrative and program functions. Together, they provide the leadership in the agency to develop policy and to implement programs. It should be no wonder, then, that the working relationship between the occupants of these two positions is more important to the overall functioning of the organization than the other relationships in the agency.

The executive director and president need to pay attention to how these two positions relate and how they, at any given time, perceive and exercise their leadership roles. They need to have a common understanding of community needs and the agency mission. To the extent that they differ on these and other issues, those disagreements can be resolved privately. Any irreconcilable differences should be maintained on the impersonal level and contained within their respective roles. They may need to be brought to a committee or the full board for resolution where significant disagreement exists.

The executive director serves as the interface between the policy-making process and operations. He or she is directly accountable to the board and is responsible for maintaining consistency between the mission and policies of the organization and the management of the organization's resources to ensure achievement of goals. A sample position description for the executive director is included in this section.

The executive director's perspective on consumer control and advocacy is a critical variable in his or her effectiveness in translating board policies into center practices. Consumer control in management staff, other than the executive director, is another critical link in the chain. The importance placed on substantive participation and input of staff is a central consideration in maintaining adherence to the principle of consumer control on an operational level. Management staff is deeply involved in drafting policy for the executive director and board. If the work they do reflects consumer control in principle and practice, they will be providing a great service to the board while implementing policy clearly to those they manage and supervise.

There is no more critical link in this chain than the direct services staff and, in turn, the services provided by these staff. Service staff are the most important front-line people within a center and the third critical link. In order to promote consumer control through role models, it is very helpful for direct service staff to be people with disabilities. In this sense, direct service staff are peers. By hiring people with disabilities in these positions, a center demonstrates its understanding of the need for consumer trust and acceptance and the importance of credibility of staff.

It is just as important to solicit consumers for other staff roles as well. Hiring people with disabilities in support staff and clerical positions demonstrates the center's commitment to the consumer-control principle and the affirmative action policy. Support and clerical staff represent the fourth link in the chain.

D. EXCLUSIVE AND OVERLAPPING BOARD/STAFF RESPONSBILITIES

BOARD RESPONSIBILITIES

- Determine Policy
- Select Board
- Oversee Finances (e.g. Budget Approval & Modification and Establishing Fiscal Policies)
- Hire, Supervise, Evaluate, and Fire the Executive Director
- Establish Priorities and Allocate Resources Accordingly

BOARD COMMITTEE/EXECUTIVE DIRECTOR STAFF "TEAM" RESPONSIBILITIES

- Formulate Policy
- Raise Funds
- Relate to Community
- Develop Budgets and Report Fiscal Status

EXECUTIVE DIRECTOR AND STAFF RESPONSIBILITIES

- Manage Programs
- Administer Personnel Policies and Oversee Staff
- Operate Agency

E. POSITION DESCRIPTION OF EXECUTIVE DIRECTOR

The executive director is top administrator in the organization, responsible for all areas of the agency's operation. Some organizational models refer to this position as the Chief Executive Officer (CEO). He or she is directly responsible to the board of directors.

Principal duties include:

1. Work with the board president and appropriate staff to prepare the agenda for regular board meetings.
2. Attend the board meetings and either attend, or delegate key staff to attend board committee meetings.
3. Assist the board in the development of policies and ensure implementation.
4. Hire, fire, supervise and evaluate staff.
5. Delegate responsibilities to other staff.
6. Develop operational procedures in accordance with board policy and legal regulations.
7. Prepare annual budget and present to the board for consideration.
8. Approve purchases and expenditures within adopted budgetary limits.
9. Provide information to the board regarding purchases and expenditure.
10. Assist in and conduct fund-raising activities.
11. Orient new board members.
12. Represent the agency at community, interagency and social functions.
13. Develop and adhere to annual goals and objectives of the organization.
14. Assist the board in developing a strategic long-range plan.
15. Keep the board informed as to all relevant operational issues and status as well as community issues.

VII. FINANCIAL RESPONSIBILITIES OF THE BOARD

A. OVERVIEW

Non-profits, by their very nature and purpose, never have enough money to do what is needed. Unlike a business or for-profit organization, money is a means for the non-profit, not the end. It is a tool to be used to carry out the mission. Managing money is a survival issue for organizations and improper management is the principle reason for many failing. The board of directors has a legal and ethical responsibility to ensure that the funds raised by the agency are used in accordance with the conditions for which the funds were given and that they are managed well.

Financial matters must receive serious, continued board attention since the board is ultimately responsible for:

- raising the funds needed
- monitoring and ensuring legal and funding source compliance in spending of funds
- adequate and realistic financial planning and investing

To carry out these functions effectively, a board must focus on finances. Information about the agency's financial status must be distributed at regular board meetings and reviewed by all members to make sound decisions.

A successful non-profit agency is one that raises and uses its money wisely - in the most cost-effective way - to accomplish its goals and objectives. Dollars need to be raised for the short-term and long-term for operational, endowment and/or capital expenses. Ideally funds should be raised from diversified sources and through a variety of means, including grants, contractual arrangements, fund-raising events and planned giving.

As previously stated under the section on mission, the methods CILs use to raise funds are critical, affecting the organization's image and relations with consumers and the community at large. Care needs to be taken that stereotypes are not promoted and that the emotions of public "guilt" or "compassion" are not played upon.

Generally speaking, non-profits must manage funds under extreme circumstances. It seems that there is never enough money to accomplish what needs to be done. Additionally, many non-profits do not generate much in excess revenue or surplus from one year to the next. This is usually only due to restrictions by funding sources, by a board philosophy that non-profits should simply not have unexpended funds and/or the potential problems that may arise in spending upon a previous year's surplus in the current year's operating budget. It is desirable to develop a "nest egg" to fall back on when times are tough; however, it is difficult given the demands and expectations placed on both board and staff.

Cash flow may be another problem for non-profits and particularly for Centers for Independent Living that rely heavily on government dollars. Government contracts usually only "reimburse" agencies for spending budgeted dollars after they are spent, including when a local "match" is involved.

Agencies cope with cash-flow problems by borrowing funds from a bank or "intermingling" restricted funds. Intermingling funds refers to mixing the spending of dollars obtained for a specific purpose with those associated with another program or purpose. Both actions may solve the immediate concern but can cause problems later on. Interest on borrowed money is not generally reimbursable by government funds, so more dollars are going to need to come from somewhere. Mixing money from different restricted sources places the agency at great risk of not being able to fulfill contractual requirements or not complying with audit standards.

State agencies generally perform an "audit" of expenses the non-profit has incurred. If the audit shows that expenses were unjustified or violate stated "allowable" expenses, the agency will not receive reimbursement or may need to pay the funding back.

State audits do not cover the entire agency budget. They apply only to the contracted funds. Non-profits should obtain a certified independent audit from an independent source if the annual budget is sizeable enough to warrant the cost or if serious problems are suspected.

The key individuals in carrying out the necessary financial tasks are the treasurer, the executive director, and, if present, the bookkeeper or fiscal officer. Additionally, there must be a committee structure responsible for finances, either a finance committee or an executive committee. Some organizations have "audit committees" whose sole purpose is to appoint independent auditors and review their report and findings. Preference may vary given the size of the budget and the size and sophistication of the board itself. The role and duties of these positions are described in the position statements contained in Appendix D.

Recent trends in non-profit accounting include:

1. reporting a "bottom line" - the excess (or deficit) of revenue over expenses
2. increasing similarity in appearance to for-profit reporting
3. emphasizing program or functional reporting
4. movement toward a single set of basic underlying

accounting principles and reporting practices for non-profits

5. uniform state reporting codes
6. increased reporting by non-profits to federal regulatory bodies
7. increased disclosure on the face of fund-raising literature, including a written assurance that all financial statements will be sent to a contributor on request

A sample fiscal policy is included in Appendix F.

C. FINANCIAL TERMS BOARD MEMBERS SHOULD KNOW

ACCOUNT - A bookkeeping device used to record the increases or decreases of a specific type of asset, liability or equity item brought about by a business transaction.

ACCOUNTS PAYABLE - A subdivision of current liabilities that refers to money owed by an organization to an outside creditor for goods or services it has received.

ACCOUNTS RECEIVABLE - A subdivision of current assets that refers to money owed to an organization by someone to whom goods or services have been provided on credit.

ACCRUAL BASIS ACCOUNTING - An accounting system that accounts for all business transactions that have occurred during an accounting period, whether or not cash was actually received or disbursed.

ASSETS - All of the possessions and rights of an organization that have money value.

AUDIT - An examination into the organization's accounts or dealings with money or property by proper officers or persons appointed for that purpose.

BALANCE SHEET - A financial statement that reports on the financial condition of an organization in terms of assets, liabilities and equity as of a certain date.

CASH BASIS ACCOUNTING - An accounting system that accounts only for cash actually received or disbursed during the accounting period.

CURRENT ASSETS - Assets that are expected to be consumed or converted to cash in a short period of time, usually less than a year.

VIII. COMMUNITY RELATIONS

A. OVERVIEW

The agency's voice in the community is the voice not only of the organization but also of its consumers and the social problems or issues the agency was founded to resolve. Consequently, the importance of effective community relations transcends the self-interest of the organization and includes the broader issues related to consciousness about disabilities and persons experiencing them.

The concept of community relations includes more than public relations, which focuses on the use of written material and the media for the purpose of promoting the organization. Community relations also includes the relationships of the agency with consumers, government, other agencies, and businesses; and advocacy with government bodies, funding sources and the public at large. These areas are interrelated. To the extent that the agency can demonstrate effectiveness at meeting the needs of its consumers, it is increasingly able to secure funds and have impact on the making of public policy. Similarly thoughtful and sensitive public policy makes it easier to deliver quality services. With the recognition, the role of the board in community relations becomes more than just another task to be performed. It is central to the agency's mission.

On the assumption that good community relations begin at home, it is critical to examine the ways in which the agency presents itself to the public. In this context, the appearance of its facilities, the quality of its printed materials and the greeting one receives from the switchboard operator, are the first elements of the agency's community relations efforts. Each of these can be an advertisement of the program's quality and the care the agency takes with consumers and the community. Decisions related to funding or site location have turned on such seemingly secondary issues.

In a more traditional context, community relations includes the agency's presentation of its public face. This is accomplished through work with the media, the creation of special events and public ceremonies, the development of fund-raising drives and the visibility the agency achieves in the various sectors of the community with which it is concerned. These community sectors might include human service agencies, businesses, political leaders and government officials, consumers and their families and funding sources, among others.

Agencies serving people with disabilities have the opportunity and responsibility to present the public with information aimed at countering some of the community's false beliefs about disabilities. This can be accomplished by using a variety of mechanisms such as radio talk shows, letters to the editor, feature newspaper stories and presentations at schools to educate people about rights and needs of people with disabilities.

A broader form of advocacy relates to having impact on elected and appointed public officials. Lobbying for or against legislation within the restrictions imposed by the organization's tax-exempt status is a time-honored way to serve a constituency, and the board of directors of an agency is ideally suited to play an important role in that process. Board members know the services and the issues, and also have the skills and relationships that may be extremely useful in advocating for particular policies. This manual provides information related to effective representation of the agency in the community, in addition to citing potential resources for additional assistance in this area.

B. MAJOR TASKS TO ACCOMPLISH FOR EFFECTIVE COMMUNITY RELATIONS

- Determining and defining the agency's desired image.
- Developing and maintaining a public image for the agency.
- Conducting public affairs activities - programs, meetings and special events.
- Establishing and maintaining working relationships with the media.
- Publishing and distributing written materials, i.e. newsletters, brochures, annual reports and position statements.
- Responding to and managing controversy or negative publicity, frequently termed as engaging in "damage-control."

C. WAYS TO GET THE MESSAGE OUT

- Annual Meeting
- Volunteer and Consumer Award Presentations
- Open Houses
- Facility Tours
- Fund-raising Events
- Speakers Bureau
- Agency or Program Anniversaries
- Invitations to Agency Events
- Newsletters
- Advertisements
- Posters
- Appearing on Radio and T.V. Talk Shows
- Brochures or Flyers
- Public Service Announcements
- News Releases
- News Conferences
- Testifying at Public Hearings
- Conferences, Seminars or Workshops
- Social Events

D. SUGGESTIONS AND OPPORTUNITIES FOR GREATER NETWORKING

The active participation of the agency, both staff and volunteer representatives, is important for information sharing purposes, ensuring input into public policy, promoting collaboration and advocacy efforts, identifying and securing financial resources and demonstrating that the agency has a general interest and commitment in the welfare of the overall community. Here are some different types of groups with which a non-profit agency can network:

Councils or Advisory Committees	*Counties play a major role, often mandated by a state, in identifying community needs, preparing and developing services and funding. Every county has a Community Service or Unified Services Board (responsible for service plans regarding mental health, developmental disabilities, alcoholism and substance abuse), and may also have a Department of Social Services Advisory Board, Aging Council and Youth Advisory Board. Several communities also have councils on the disabled which serve in an advisory capacity to local governments and the community at large.*
Ad Hoc Task Forces or Study Groups	*Counties, cities, community councils, United way agencies and other community groups constantly appoint or change committees to examine issues and propose solutions*
Interagency Information Sharing Groups	*Most communities have group settings and socialization designed for improving relations among agencies and sharing programs information. Agency executive groups or interagency councils are examples.*
Coalitions and Consortiums	*Increasingly, long-term interagency and citizen groups are forming to address, on an on-going basis, specific social issues. These groups are sometimes funded by the state or other sources and tend to select a "lead agency" to convene meetings and/or act as a conduit for funds and information.*
Associations	Professional or agency specific groups join

together to share common goals or concerns of a state or national nature. Joining such groups keeps members informed of trends, funding opportunities, training and development programs, advocacy issues, etc.

IX. GROUP PROCESS AND DECISION MAKING

A. OVERVIEW

The ability of people to work together and to make the important decisions necessary for an agency to carry out its mission is the heart of a board of directors and organization. Written policies and procedures are intended to provide the structure to manage the group process; however, their effectiveness is totally dependent upon the respect that board members accord to one another and how their interaction results in good decisions.

There's a saying that the "whole is greater than the sum of the parts." A board of directors, as a whole, has a personality and a general way of conducting business. The "chemistry" of its members, in terms of when and how they interact, determines that personality.

This section of the manual provides in depth discussion on group process and team building. Certain areas are examined such as the stages of group development, leadership, conflict resolution and the art of effective collaboration and negotiation.

B. TEAM BUILDING - SHARING THE POWER

1.) Stages of Development

When first getting started most group members are unsure of themselves and their roles within the group. There are four basic stages of group development:

1) the testing stage
2) the in-fighting stage
3) the "getting organized" stage
4) the mature closeness stage

During the first stage of group development, most members are in a **"testing"** mode. Members are polite, impersonal, watchful and guarded. Some groups remain in the first stage for a short time, while some never leave that stage. Those that do not move out of the first stage rarely accomplish any work and usually disband. On the average, groups that meet once a month move out of stage one within six months. Groups meeting once a week or more, usually move out of the first stage within a couple of months.

As members get to know each other, their behavior often moves to an **"in-fighting"** stage. Members strive to control conflicts; confrontation tends to focus on people and not on issues; some individuals will simply "opt out;" and there are many difficulties with staying on track. One could accurately describe this confrontation among people as a power struggle (however minor it may seem). Personalities are more important than plans and procedures in this state of the group's development. Group members may feel sick and look for ways around operating as a group.

If the group's leadership or the group itself can emerge from this stage, it tends to move into a **"getting organized"** stage. Group members are developing skills such as creating procedures, giving feedback to each other and focusing on the control of issues, rather than people, in order to move the group toward its goal. As the organizational process moves to the fourth stage (mature closeness) of operation, the group is functioning at a high level and generally making progress toward its goals. Now it is set for being a creative and open group - ready to succeed with its stated goals and to challenge other issues as well.

Most groups have leaders - officially or unofficially. Once a group reaches the stage of **"mature closeness,"** its leader is well established but may not be highly visible to the outside observer. If the group is working well, each member plays an equally valuable role and the leader is not necessarily pivotal to the group's progress.

*Material is from Team Building: Sharing the Power by M. L. Shreve; Published in 1988 by Independent Living Research Utilization, Houston, Texas.

Effective groups tend to make the best use of the specific talents of their individual members by combining them with the talents of other members. Groups obviously teach individuals how to cooperate (or they should!). They enhance staff and volunteer development through the transfer of knowledge and skills. By working together on specific activities supportive of the CIL, they are helpful in reinforcing and reviewing the organization's mission and independent living philosophy.

For a Center for Independent Living, teamwork can be most useful for developing new programs or advocacy ideas. Groups are also important when crises occur or when the organization is being threatened in some way (such as through impending budget cuts). Basic to the philosophy of the independent living movement are the concepts of consumer control and self-help. Groups are excellent vehicles for reinforcing these concepts and developing internal support systems for group members.

Self-help is sometimes the basis for forming groups. In several centers, peer counseling services developed out of informal support groups. Often, support groups move from meeting for social purposes to meeting to consider ways to initiate systemic change. There is no better example of effective self-help. Consumer control is exercised by encouraging groups to secure a majority of individuals with disabilities as members. As groups grow and play greater roles, consumer control becomes a hard and fast principle throughout the organization.

2.) How can you resolve conflicts within a group?

Conflict is inherent in communication and interactions among humans. It may be positive in some instances, negative in some and irrelevant in others. Without conflict, no growth takes place - in individuals, groups or society as a whole. It emerges for a number of reasons:

1. Productive conflict arises out of caring -- caring about the group and the individuals in it. Because members care, they are willing, if necessary, to make costly emotional responses (taking risks) to help improve the situation.

2. Each *member* has different needs and values. These differences become evident and produce conflict unless the members repress their individual differences and assign the direction of the group to an authority figure. Conflict emerges when a group faces decisions that are central to its ability to be ongoing.

3. Conflict occurs within the context of interdependence. If the parties to a conflict were not interdependent in the sense that the actions of one individual have consequences for the opposed individual and vice versa, conflict would not occur.

Because of our cultural conditioning that, by and large, encourages us to suppress feelings associated with conflict, most of us are hard-pressed to be honest about our genuine feelings. We tend to evade conflict by not facing the true reasons for its existence or by procrastinating until conditions force us to deal with these evasions. A more serious alterative is to resort to innocuous pleasantries in the actual presence of hidden agendas and feelings, which then emerge through innuendos and other indirect expressions of hostility. However, in working with groups, keep the following suggestions in mind as guidelines for dealing with conflict.

The first step when a conflict of unknown origins erupts is to find the source. Is the conflict one of personalities, attitudes, knowledge or opinions? If there is genuine concern about the direction the "group" is taking, then group members need to deal directly with the conflict. If the conflict is rooted in personality differences, then the conflict may disappear on its own; require some individual "counseling" of the members in conflict; result in the dismissal of one or more group members; or end the effective functioning of the group. It could also result in "spill over," that is, affect relationships within the center, on the board, among volunteers and staff (people may take sides, morale may be lowered, etc.).

When a conflict grows and infects others within the center, it must be dealt with quickly and fairly. Centers should have a hierarchy that is well defined for purposes of appeals or grievances. This same hierarchy should be used for dealing with a conflict that is affecting the group and others. If, for example, the group is a volunteer group reporting to a board committee, the group leader, other group members engaged in the conflict, and the committee chair should meet to discuss the conflict and possible solutions. If the problem exists within a board committee, the executive committee or the officers should meet with the individuals involved. Conflict in a staff group must be handled by the supervisors involved, including the executive director. In all cases, the problem should be aired and constructive solutions should be found and put into effect.

The group leader is the first person who should assume responsibility for dealing with the conflict. He or she should first decide if there is any gain to be realized by allowing the conflict to continue. If the conflict is due to two diametrically opposed opinions, both of which are valid but merely differences over methods or something similar, then the group may continue to function, with majority vote always deciding which opinion is followed. Usually, if the minority opinion-holder keeps losing on every vote, he or she will eventually quit the group.

If the issue in conflict is detracting from the group's work and there is nothing to be gained by allowing the conflict to continue, the leader should lay down new ground rules for the group. These new rules may eliminate entirely the issue causing the conflict from the group's purview. If the issue is essential to the group's success, then the leader must either eliminate the conflict or remove the individuals creating the conflict. The leader can encourage an atmosphere of supportive dialogue so that the group discusses the conflict and decides when and how to eliminate it. Or, a consultant from outside the group or organization may be able to facilitate a discussion to resolve the conflict.

When it is clear that the conflict cannot be resolved and the individuals who are creating the conflict will not cease their fight, the leader needs to remove the disruptive individuals from the group. If the conflict has created deep divisions (in which case, it probably was allowed to continue for too long), the leader may realize that the problem does not lend itself to group resolution and the group must be dissolved. The problems or goals the group was working on must then be given back to individuals (such as staff) or put back before the full board of directors for consideration and resolution.

3.) People and Groups

There are certain personality types that are counter-productive to effective group functioning. People who are self-centered, who need to be the "star" or the center of attention and who want all the recognition may cause a group to fail. These types are just not helpful to a group unless they can overcome their own drives for attention. Other personality types that can lead to group failure are those that are divisive or habitually negative. The person who always pipes up, "Can't be done!" is no help to any group. Another example is an individual who is insecure in his or her own abilities, who is threatened by others or the ideas of others and reacts defensively when criticized or when others' suggestions are selected over his or her own. Another personality type that makes a particularly poor group leader is one who is easily intimidated.

Persons who gossip about others and who do not seem interested in contributing to the group efforts may also compromise a group's success. Gossips are the first individuals to forget the rule of confidentiality.

A common problem occurs with people who join a committee for social reasons (and there is nothing wrong with that) but never participate in the group's actual work. After a while, such individuals can become a real drain on the group. It would be useful to ask those individuals to re-consider their interests, perhaps move to another committee where they feel more comfortable and willing to work or resign in favor of participating in other social activities of the center.

Another cause for failure can be lack of structure. While some groups need a great deal of structure, others may need only a little. The trick to building and maintaining effective groups within an organization is to know how much or how little structure to impose. Limited structure can be a disaster or can produce a great deal of creativity and originality. Putting the structure together is a judgment call that must be made by the group leader, approved by those responsible for supervising the group and accepted by the group members.

Failure may also occur if group members do not follow through with assigned tasks. Most people can remember group assignments in school and how much they hated it when only two members (including themselves) of the group really did the work and the other five waited to get the group grade. If all group members do not take a task and complete that task, then the group will eventually fail. It is the effective group leader who helps individual group members and encourages completion of all tasks.

Lack of decisive leadership or insecure behavior by the leader can be another cause of even further failure. If the group just is not accomplishing anything - not meeting deadlines, members are not showing up for meetings, work is not getting done - then the leader is probably at fault in some way. If the work is not getting done, someone in authority should talk with the group leader to see what he or she thinks the problem is. Assistance from staff or from an outside consultant may be provided to help the leader assess the problem. If the group is open to completing a self-assessment, it might develop its own solutions. If the leader cannot seem to resolve the problem, even after help has been provided, a new leader is needed or the group needs to be dissolved.

While it is up to the group leader to establish agenda formats and group structure, even the best group leader cannot fulfill his or her responsibilities if any of the group members constantly come to meetings with different concerns. This is another form of disruption. The best group leaders set agendas in advance, placing at the top those topics essential to the group's work and leaving room at the end for additional items. It is also wise to set a clear starting and ending time for meetings or work sessions (one-and-a-half hours is usually long enough for everyone). If group members with other concerns must wait until the end of the meeting and an hour-and-a-half has elapsed, their concerns may always be deferred.

Other disruptive behaviors by group members can include:

- inability to admit mistakes or errors
- inability to see when a wrong decision has been made
- inability to deal with conflict in a constructive (i.e., "issues," "not people") manner
- inability to accept constructive criticism (taking things too personally)
- personal problems being interjected into group meetings or functions
- failure to perceive the results of the group's efforts

Any or all of these behaviors have the potential to cause the group's failure. The critical juncture of success or failure usually pivots on how the group's leader deals with any of these problems.

It is important to point out here that differences among group members are a good thing - it's only the disruptive differences that pose serious threats to teamwork. It is said that the relationship between the board of directors and executive director should be one of "dynamic tension." That is true and that phrase is also valuable for describing effective groups. There should be a dynamic tension present on good working groups. Dynamic tension does not mean that there isn't an "esprit de corps" - it only means that there should be differences of opinion, differences of style and a healthy discussion of all ideas for a group to be at its best.

4.) What circumstances might cause a group to be dissolved?

There are a variety of circumstances that indicate it is time for a group to be dissolved. Some circumstances are positive, some are negative and some are neutral. If a group has met its goals and objectives and has no further business, dissolution is cause for celebration. With **ad hoc or short-term groups** set up to deal with specific or one-time issues, the group is dissolved as soon as it has finished its work.

If there has been a **change in funding** that affects the group, the group may be dissolved. Lack of funding may lead to dissolving a group and increased funding may change programs sufficiently so that new groups are needed to meet different goals.

Changes in staff can cause dissolution of a group. If staff members resign or are transferred to different jobs within a CIL that are no longer appropriate for a particular group, the group may need to be dissolved completely or put on hold until a new staff member can assume the responsibilities of the predecessor. Sometimes a new executive director, with new ideas and approaches, will dissolve groups in order to re-organize the center's entire structure.

If there is a **change in program emphasis**, due to funding or policy shifts, groups may be dissolved. Sometimes a group working on one goal is not excited about changing direction and, therefore, chooses to be dissolved. On the other hand, some groups may be pleased to shift focus and continue because their personnel mix has been so successful.

A group may be dissolved because it has not come up with a solution to a problem or because it has been **unable to reach its goal**. Again, the role of the leader is to insure that this does not happen. Groups cannot continue forever if they are not accomplishing their stated purposes and they will be a financial and human resource drain on your agency.

The most negative reason for taking a group apart is **inability to resolve a conflict** within the group or between the group and the larger organization. The committee that moves one of its projects out of the center's boundaries (such as the center's stated mission) or which begins to see itself as a separate entity from the whole is the type of group that should be cut off by the board. The committee that recommends a particular course of action that the board refuses to adopt might decide that it will pursue its chosen path anyway. These types of groups are in major conflict with the agency and probably will not survive within the organization' s structure.

5.) What are the consequences of ineffective groups?

Groups in conflict that continue to exist without resolving the problem can have long-term harmful effects. The most obvious harm is that the experience can poison the organization's attitude toward use of groups generally. Ineffective groups will be unable to accomplish their tasks. Some of the results of ineffective groups include:

- waste of money
- waste of time and human resources
- decline in staff or volunteer morale
- poor staff or volunteer performance
- non-productive and negative behaviors by the group members themselves

Allowed to go unchecked, group members who have been disruptive and are permitted to continue their disruptive behaviors may come to believe that such behavior is acceptable. Unfortunately, these group members will probably exhibit the same behavior in other groups in the future.

In terms of staff groups, results of an unsuccessful group attempt can have long-term damages, depending upon management's response to the ineffective group. If a failing group continues to fail, is given no help and produces nothing, the group has brought none of the usual benefits of teamwork back to the organization. More importantly, the attitude of staff towards groups will deteriorate severely. Teamwork will no longer be viewed as a positive group process approach to problem solving. Those types of bad experiences turn out to be costly in the long run for an organization.

6.) How can groups be evaluated?

The most obvious method for evaluating a group's effectiveness is measuring goal achievement. If a group's goals were clear and deadlines were set for their attainment, then it should be easy to determine whether or not the group reached its goals on schedule.

The more difficult evaluations relate to how well or how efficiently the group is functioning. One of the first methods for examining a group is to see how group members perceive their group's stage of functioning, using the stages described at the beginning of this chapter (testing stage, in-fighting stage, getting organized stage, mature closeness stage).

How long has the group been in a given stage? Does it seem reasonable that the group should be in a higher stage? The reason for exploring a group's stage is to see how close to stage four it is and then comparing its level of development to what has been accomplished. Could more have been accomplished if stage four had been reached earlier? What other activities should the group pursue to develop into a stage four group? It is important for a group to reach stage four because the objectives include the joys of learning from and being with others while accomplishing needed tasks.

A group composed of staff can be evaluated through monitoring conducted by a supervisor. The supervisor may make subjective judgments regarding the degree of creativity shown by the group, how the group is meeting identified needs, how much time or money the group is spending and how the group approach is affecting staff morale. Also, has the group effort been beneficial and how has the group approach influenced service delivery or other job responsibilities? Most of these judgments should be made in comparison to the responsibilities of all staff members on the group and how well the group effort is complimenting or detracting from those other roles.

Another method for evaluating groups is use of an outside consultant. This is an expensive method unless you have free consulting services available. The decision to seek a consultant's help in evaluating a group's effectiveness usually depends upon how much reliance is put on the group's efforts.

For example, say a board/staff/volunteer group is being used for long-range planning purposes and the board expects a formal written document by the first of the calendar year. By mid-November, the group has not decided upon its formal process for gaining consumer and community input on the plan. If the deadline is going to be met, it appears that this group needs outside help. The first thing the consultant must do is to evaluate what has been accomplished so far and how the group has been functioning. Then, the consultant must develop methods for bringing the group back to task so that it can complete its assignment by the end of the year. Evaluation is essential for the maintenance and growth of groups.

7.) How can groups be rewarded?

Rewards are important for both groups and group members. There are several ways that groups can be rewarded, particularly when more than one group is used within the organization.

A competition can be established between two groups. For example, your center wants to develop a new brochure. Board, staff and volunteer members divide into two groups with a deadline for a first draft of the new brochure. The president of the board and executive director do not participate on either group but will be final judges of which brochure or which modifications to either or both brochures will be used. If there is a clear-cut winning group, the group members may have their names listed on the brochure, be featured in a newsletter article, taken to dinner, given cash bonuses, whatever. Competitive groups should be avoided on any serious projects, however, in order to avoid any ill feelings on the part of a losing group.

When direct competition is inappropriate, awards of a different type may be acceptable. If a center makes use of committees or subcommittees, committee awards may be included as a part of an annual awards program. Group leader awards, board member of the year awards, volunteer of the year awards, etc. may also be instituted. Monthly or quarterly awards are useful too, depending upon how easy it is to set up the awards system.

Rewards for some groups may include new assignments, particularly with staff groups. Staff groups that function well and smoothly may be given tougher and more challenging assignments each time they complete an objective. Many individuals find this type of reward the most satisfying because it continues to foster individual growth and learning.

The most important reward is one that is easily forgotten: a simple and frequent "thank you" should be given to all group members by group leaders (and vice versa). Thanking people for their time, effort and hard work is something we do not do enough, but it is a must if groups are to reach a "mature closeness."

8.) What can you do about conflict?

When a group struggles to come together to accomplish a goal, to face problems and resolve them, some conflict can be expected.

a. Accept the fact that different feelings, different value structures and different idea systems are going to collide.

b. Each person involved in the conflict must accept the others' rights to their feelings, values and ideas. Above all, members must be allowed to retain their human dignity; each must be accepted as a member in his or her own right, regardless of behavior and point of view. This kind of acceptance is necessary for an open, honest confrontation of differences.

c. There must be trust in the group if the conflict is to have depth and ultimately come to resolution.

d. Do not evade the primary source of the conflict, although it may take courage to proceed to its location.

e. You may be required, individually and as a group, to be open to changing;

developing new ways of acting and being, and subjecting these to continuing evaluation.

The following have been determined as conditions that most often lead to conflict in group efforts toward problem solving and decision making.

- Unclear jurisdiction
- Conflict of interest
- Poor communication
- Dependent relationships
- Differences about objectives
- Difference in assumptions
- Personalities
- Differences in preferred methods
- Differences in values
- Using the same old solutions over and over

Rules of Resolving Conflict

1. Avoid "either-or" choice situations by:
    a. Asking, "What do we need to accomplish?"
    b. Develop alternatives
    c. Try for consensus
2. Avoid "we-they" divisions:
    a. By focusing on the actual situation
    b. By physical set-up of people

3. Avoid using personal pronoun "you" in the critique:
    a. By using situational descriptions
4. Don't try to control feelings with arguments, persuasion or threats:
    a. Use facts and logic
5. Limit the number of decision-makers.

A good solution has both quality and acceptance.

C. SUGGESTED FORMAT FOR MEETING MINUTES

Name of Committee
Meeting Date and Place
Present: ____________________ ____________________
____________________ ____________________
____________________ ____________________

Absent and Excused:
____________________ ____________________

Absent and Unexcused:
____________________ ____________________

The meeting was called to order at__________am/pm by
chairperson______________________________at__________________ (meeting place)
.

II. The agenda was approved as presented by ______________________ and ________________________(name of person moving to approve and person seconding the motion to approve.)

III. The minutes from the previous meeting were read by secretary _______________________ and were approved as written__________________ ________________________ (name of person moving to approve and name of person seconding the motion to approve).

IV. Subcommittee or ad hoc task force reports:

A. (Cite the name of the sub-committee or ad hoc group and then describe the report, including any important policy recommendations or procedural information, any major decisions reached and who gave the report.)
B. (same as above)
C. (same as above)

V. Old Business:

A. *(Cite the issue or business; then describe any progress made or concerns expressed that are of major importance. List any important policy or procedural issues. Make sure that any issue to be referred to the board of directors is communicated to the chairperson of the responsible committee as soon as possible. Always record any motions made by a* *member of the committee or sub-committee, giving the names of the people making the motions and seconding the motion in "parens" after the motion has been written. Always record the names of dissenting voters, i.e., those who opposed the majority and/or those who abstained from the vote in "parens" also.)*

B.
C.
D.

VI. New Business:

A. Same principles as described above under "Old Business."
B.
C.
D.

VII. Announcements:

A. List only those viewed as important by the majority present.

VIII. Next meeting time, date and place (be sure to set it with the group and then include it with the finished minutes.)

Respectfully submitted,

Secretary

Attested to by

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D. PARLIAMENTARY PROCEDURE

MAKE THIS HAPPEN	SAY THIS	CAN YOU INTERRUPT THE SPEAKER?	DO YOU NEED A SECOND?	IS IT DEBATABLE?	CAN IT BE AMENDED?	WHAT VOTE IS NEEDED?	CAN IT BE RECONSIDERED?
Adjourn meeting	"I move that we adjourn."	NO	YES	NO	NO	MAJORITY	NO
Call an Intermission	"I move that we recess for…"	NO	YES	NO	YES	MAJORITY	NO
Complain about heat, noise, etc.	"I rise to a question of privilege"	YES	NO	NO	NO	NO VOTE	NO (USUALLY)
Suspend further consideration of an issue	"I move to table the motion"	NO	YES	NO	NO	MAJORITY	NO
End debate and amendments	"I move the previous question"	NO	YES	NO	NO	2/3	NO (1)
Postpone discussion for a certain time	"I move to postpone the discussion until…."	NO	YES	YES	YES	MAJORITY	YES
Give closer study of something	"I move to refer the matter to committee"	NO	YES	YES	YES	MAJORITY	YES (2)
Amend a motion	"I move to amend the motion by…."	NO	YES	YES (3)	YES	MAJORITY	YES
Introduce business	"I move that…."	NO	YES	YES	YES	MAJORITY	YES

Protest breach of rules of conduct	"I rise to a point of order"	YES	NO	NO	NO	NO VOTE (4)	
Vote on a ruling of the chair	"I appeal the chair's decision."	YES	YES	YES	NO	MAJORITY (5)	YES
Suspend rules temporarily	"I move to suspend the rules so that…."	NO	YES	NO	NO	2/3	NO
Avoid considering an improper matter	"I object to consideration of this motion."	YES	NO	NO	NO	2/3 (6)	(7)
Verify a voice vote by having members stand	"I call for a division" or "Division"	YES	NO	NO	NO	NO VOTE	NO
Request information	"Point of information"	YES	NO	NO	NO	NO VOTE	NO
Take up a matter previously tabled	"I move to take from the table…."	NO	YES	NO	NO	MAJORITY	NO
Reconsider a hasty action	"I move to reconsider the vote on…."	YES	YES	(8)	NO	MAJORITY	NO

(1) Unless vote on question is not yet taken
(2) Unless the committee has already taken up the subject.
(3) Only if the motion to be amended is debatable.
(4) Except in doubtful cases.

(5) A majority vote in negative needed to reverse ruling of chair.
(6) A 2/3 vote in negative needed to prevent consideration of main motion.
(7) Only if the main question or motion was not, in fact, considered.
(8) Only if motion to be reconsidered is debatable.

APPENDICES

APPENDIX A

BOARD MEMBER BIO SAMPLE

Agency Name____

Date________________________

Board Member's Name____

Home Address____

Telephone____

Business Address_____ ___________ Telephone__________ __________

Where do you prefer agency mail to go? (Circle)

Business Address	Home Address

Occupation or Profession:

Educational Background:

Current Non-profit Affiliations:

Past Non-profit Affiliations:

Other Affiliations (clubs, professional associations, etc.):

Special skills (Business or Professional):

Community Interest Areas That You May Have (Particular concerns, programs, needs, etc.)

Board of Directors Policy and Procedures

Of

Southeast Kansas Independent Living Resource Center

1801 Parsons Plaza/PO Box 1035
Parsons KS 67357
(620) 421-5502

Revised Effective Nov. 1998

Southeast Kansas
Independent Living Resource Center

Empower, Integrate, and Maximize Independence for all persons with disabilities.

S.K.I.L. was created by; is driven by; and is focused on persons with disabilities, their families, and communities. We provide Advocacy, Education, and Support with Customer Controlled services to break down and remove existing barriers and bridge social gaps to ensure and preserve Equality and Independence for all.

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Non Discrimination pg. 4

Responsibility pg. 2,3

Board of Directors Job Description

Title: Member of SKIL Board of Directors
Reports To: Board President/Chairperson
Term: Indefinite until resignation, removal or death

Purpose: To serve on the Board of Directors as a voting Member; develop policies and procedures for the operation of SKIL; to monitor finances of the Center; to provide overall direction to the Center and its programs; and to monitor the quality and effectiveness of services.

Meeting Attendance:

- Regularly attend meetings as scheduled (about 6/year)
- Attend committee meetings if a member
- Attend board retreats, trainings, and other board activities
- Attend and participate in special events as needed

Obligations Of the Board:

- Establish policy
- Maintain By-Laws
- Select/supervise/evaluate and dismiss CEO
- Secure adequate funds
- Monitor finances
- Maintain and update long-range plans

Specific Duties:

- Attend meetings and show commitment to board activities
- Be well informed in issues and agenda items in advance of meetings
- Contribute skills, knowledge and experience
- Listen respectfully to others point of view participate in Center decision-making
- Support fund raising efforts
- Represent the Center to the public and private industry
- Educate yourself about the needs of the people served
- Be a strong advocate for disability rights and the Independent Living Movement

Introduction

These policies have been established by the Board of Directors of Southeast Kansas Independent Living Resource Center in conjunction with the established By-laws. These policies were designed to assist the board in implementing the By-laws through policy and procedure.

Board of Directors Responsibility

It is the basic responsibility of all board members to oversee the progress, growth and overall performance of the Center. This is accomplished through established functions provided by the board of directors.

- Setting policies. The board of directors' primary function is to establish policies that ensure that the Center is being operated effectively, legally, and ethically. These policies are the foundation for the Chief Executive Officer, who is responsible for implementing board policies and managing the organization.

- Establishing and Maintaining By-Laws. By-laws are rules that govern when and how the board operates. These by-laws were composed when the Center was established. By-laws include a description of how the board operates such as how many members sit in the board; how many board members constitutes a quorum; and how long a member's term is. The board is responsible for maintaining these by-laws as an accurate reflection of how the board operates.

- Guiding Long-range planning and development.
  The board of directors gives direction to the Center through long-range goals, which generally extend three to five years in the future. During the planning process, boards are asked to assess the present and future needs of the community. The long-range plans developed by the board are then used in planning for fiscal budgets and the financial aspects of the Center. Plans for fund raising by the board are also evaluated based upon the long-range plans.

- Raising and managing the organization's funds. As a
  "Trustee" for the Center's funding, it is the responsibility of the board to ensure that funding is being spent efficiently and effectively in delivering services. Board members are also responsible for securing adequate funds for future goals and long-range plans established by the board. This means supporting the agency in fund raising efforts.

- Personnel. The board is not directly involved in securing Center employees, however, the board is responsible for approving personnel policy and procedures and salary scales and performs a role in the Center's grievance procedure.

- Chief Executive Officer. The board of directors is responsible for supervising and annually evaluating the performance of the Chief Executive Officer.

- Appointing committees. It is periodically necessary to delegate some of the board affairs to working committees to assist in providing groundwork and details to assist the board in decisions as a whole. Committee functions are critical to boards that delegate issues for study, review, evaluation, and board recommendation.

- Property. The board is ultimately responsible for the preservation of all owned, leased, and borrowed property of the Center.

- Leadership Development. The quality of the board of directors is the key to the success of the Center. Ongoing leadership development is essential for any board to assure the continuance and progression of the quality of leadership, the Center, and the Independent Living Movement.

Lines of Authority

The board of directors is charged with overall management and supervision of the Center. The board shall exercise responsibility for hiring and supervising the CEO. The CEO is charged with the day-to-day operations of the Center.

The Center director is responsible for overall supervision of Center personnel and setting agency administrative structure. The Center staff is charged with providing the agency functions and providing services in accordance with their job duties and through the direction of the CEO.

Non-Discrimination

The board of directors and the Center shall not discriminate against any person on the basis of race, color, religion, national origin, ancestry, age, sexual orientation, and disability status or gender under any circumstances. The board will ensure the Center is an Equal Opportunity Employer and is committed to the compliance with the Americans with Disabilities Act and shall ensure reasonable accommodations to all board members, applicants, volunteers, staff, and consumers.

Board of Directors Liability

The expectation is that the board of directors for Southeast Kansas Independent Living Resource Center will fulfill their duties in a responsible manner. However, the members have protection against liability in most instances from identified resources. These resources are statutory and D&O insurance.

Kansas law provides civil immunity to volunteers, in this instance board members, of 501 (c) organizations, provided the organization has general liability, therefore, the board of directors are subject to this limited immunity. Additional information on this Kansas law can be obtained from the SKIL office or the Kansas Insurance Commission.

SKIL also secures Directors and Officers (D&O) Insurance. This insurance covers loss from damages, settlements, and defense resulting from actual or alleged wrongful acts. Loss does not include punitive or exemplary damages, fines, penalties, etc. Wrongful act includes act, error, omission, mis-statement, neglect or breach of duty for insured individuals in the discharge of their duties solely in their capacity as directors of SKIL.

Chief Executive Officer

Relations with Board

- Keeps board informed of organization activities, progress and issues.
- Is receptive to board member ideas and suggestions.
- Makes sound recommendations to board action.
- Facilitates the decision-making process for the board.
- Accepts board criticism as a constructive suggestion for improvement.
- Provides constructive advice in a positive way.
- Follows up on all problems and issues brought to their attention.

Management Skills and Abilities

- Maintains a friendly, efficient, and consumer focused administrative office.
- Prepares all necessary reports and keeps accurate records.
- Proposes organizational goals and objectives prior to each fiscal year.
- Prepares and submits fiscal budget to board for direction and approval.
- Is well organized and is able to provide board with all pertinent information.
- Is progressive in attitude and action.
- Adequately follows through on tasks and plans.

Services to People Served

- Supports and Advocates for the Independent Living Philosophy and upholds the Center's Mission Statement.
- Is progressive in providing services and decision-making.
- Provides services and programs in accordance to consumer needs.
- Accepts direction and suggestions by people served and responds appropriately.

Selecting and Hiring

The board of directors is responsible for the interviewing and hiring of the Chief Executive Officer.

Salary and Fringe Benefits

The board of directors is responsible for establishing the CEO's salary and fringe benefit compensation. The board will annually review the CEO's current compensation in accordance with the annual performance review and evaluation.

Performance Review and Evaluation

The board of directors shall annually review the job performance of the Chief Executive Officer. This will be performed at the June board meeting. The board will review the CEO's job performance based on criteria determined by the board of directors. The board will evaluate the performance in executive session and provide recommendations for modifications in wage and benefit compensation. The board will then end executive session and report back to the board meeting to reflect any compensation changes in the meeting minutes. Wage and Fringe Benefit Modifications will also be maintained in the CEO's agency personnel files.

Grievance and Termination

The board of directors is responsible for the termination of the Chief Executive Officer; however, every effort will be made to resolve issues prior to the termination of the CEO. The board of directors will provide the CEO with a written account of any complaints or grievances the board may have. The board will provide the CEO opportunity to respond verbally to the written documentation. The board will then with the input of the CEO devise a corrective action plan. The CEO shall have thirty days to initiate the implementation of the corrective action plan and at the end of the thirty days the board will hold an executive meeting to discuss the progress on the corrective action plan. If at that time the board feels that the matter has not been addressed satisfactorily, the board my recommend the termination of the CEO.

Expense Reimbursement

The board of directors may be reimbursed for expenses incurred when acting on the behalf of the Center in accordance with the By-laws Article V-Officers.

Travel Reimbursement

Mileage

Board of director's members may be reimbursed for mileage expenses when incurring mileage in connection with affairs and activities of the Center. Mileage is reimbursed at a rate of thirty cents (.30) per mile. Mileage must be submitted on the Center mileage forms. Mileage is reimbursed once a month at the end of the month. Mileage sheets must be completed and turned into the office by the 25th of the month, any sheets reaching the office after the 25th will not be reimbursed until the end of the following month. All mileage sheets are reviewed and approved by the CEO. Mileage paid prior to the expenditure must be approved by the board of directors.

Food / Travel Expense

Board members may be reimbursed for food and other travel expenses when incurring these expenses in connection with the affairs and activities of the Center when approved by the board of directors. Expenses paid prior to the expenditure must be approved by the board of directors. This reimbursement pertains to three circumstances when traveling.
These are:

1. Board members who are required by the nature of the trip and approved by the board to stay overnight will be reimbursed on a per diem basis of thirty ($30) dollars per day.

2. Board members who are required to travel on agency business out of SKIL's service area with approval of the board for one-day trips will be reimbursed on a per diem basis of fifteen ($15) dollars per day.

3. Board members who are required to travel on agency business out of State with the approval of the board will be reimbursed on a per diem basis of sixty ($60) dollars per day.

4. The board of directors' discretion will be used when approving accommodation expenses.

All other expenses for travel must be approved by the board of directors. Food/travel expenses will be recorded on Mileage sheets with detailed information on the date, nature of trip, and designated food or other expense. All provisions pertaining to Mileage reimbursement in regards to timelines and procedures for reimbursement apply to the food/travel expenses as well.

Grievance Procedure

As the overall leadership and direction of the Center, the board of directors plays a significant role in the grievance process for both employees and consumers.

Employee Grievance

Employee's experiencing a grievance are to adhere to the agency grievance policy and procedure. Employees seeking resolution to issues follow the chain of command: direct supervisor, CEO, and then board chair. The board of directors becomes involved when the employee's grievance has not been satisfactorily resolved. The board procedure is as follows:

- The board chair shall be presented in writing with the grievance.
- The board chair then has 30 calendar days to contact all involved parties including the CEO and arrange for an executive committee meeting.
- The executive committee shall meet not exceeding 10 calendar days following the initial 30-day time period.
- The executive committee then shall impartially listen to all parties involved.
- The executive committee then has 10 working days to
- inform the parties of their findings and present the parties with a corrective action plan.
- The executive committee will then review the progress and resolve the matter within 30 calendar days of the corrective action plan.
- The executive committee will report to the board of directors a brief overview and summation of the grievance and the corrective action plan at the regularly scheduled board meeting.
- The grievance and corrective action plan documentation will be kept on file by the board chair and be held confidential.

Employees with a grievance may contact the Kansas Department of Human Resources at any time.

Consumer and Personal Care Attendants Grievance

Consumers or their Personal Care Attendants experiencing a grievance are to adhere to the policy and procedure. Consumers/PCA's seeking resolution to issues are to follow the chain of command: direct supervisor, CEO, then board chair. PCA grievance pertains only when it concerns an action of SKIL. Any grievance that the PCA has with their employer/consumer must be solved through the employee/employer relationship. SKIL will only be involved as an advocate at the request of the consumer. The board of directors becomes involved when the Consumer/PCA's grievance has not been satisfactorily resolved. The board procedure is as follows:

- The board chair shall be presented in writing
- details of the grievance.
- The board chair then has 30 calendar days to contact
- all involved parties including the CEO and arrange
- for an executive committee meeting.
- The executive committee shall meet not to exceed 10 calendar days following the initial 30-day time period.
- The executive committee then shall impartially listen to all parties involved.
- The executive committee then has 10 working days to inform the parties of their findings and present the parties with a corrective action plan.
- The executive committee will then review the progress and resolve the matter within 30 calendar days of the corrective action plan.
- The executive committee will then review the progress and resolve the matter within 30 calendar days of the corrective action plan.

- The executive committee will then report to the board of directors a brief overview and summation of the grievance and the corrective action plan at the regularly scheduled board meeting.
- The grievance and corrective action plan documentation will be kept on file by the board chair and be held confidential.

Consumer/PCA'S with a grievance may contact the Client Assistance Program and/or the Kansas Advocacy and Protective Services at any time.

APPENDIX C

EMPLOYEE AND AGENCY POLICIES AND PROCEDURES MANUAL

Southern Tier Independence Center
Binghamton, New York

Southern Tier Independence Center

EMPLOYEE AND AGENCY POLICIES AND PROCEDURES MANUAL

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ABOUT INDEPENDENT LIVING AND SOUTHERN TIER INDEPENDENCE CENTER

Southern Tier Independence Center is operated as an Independent Living Center. Not only does STIC comply with the laws both of New York State and of the United States of America, but also its commitment to human rights requires a standard that goes above and beyond those rights that are protected by law. In the following pages, the policies and procedures of this agency will strive to uphold our standards, ethics and philosophy.

HISTORY OF INDEPENDENT LIVING IN NEW YORK

1979 saw the birth of a new concept in New York State known as Independent Living. At that time, nine Independent Living Centers were established using federal funds. In 1983 New York State decided to start nine new programs, followed in 1987 by the addition of 16 centers. In 1997, the Harlem Independent Living Center was added to the state list of CILs, after several years of advocacy by CIL organizations. Independent Living is still a young program in this state. New York, with its 35 centers, however, has emerged as a leader nationwide, advocating change, affecting policies and revitalizing the movement.

Southern Tier Independence Center (STIC), one of the centers established in 1983, primarily serves three counties, including Broome, Tioga and Chenango. Some of our programs serve a wider area. We are also part of a statewide network, the Association of Independent Living Centers in New York (AILCNY), which represents and advocates for the rights, needs and viewpoints of member centers and their consumers. This association of centers gives strength and unity to the many voices that are seeking better quality of life and increased opportunities for people with disabilities in the state.

INDEPENDENT LIVING PHILOSOPHY

People with disabilities should be empowered to control the direction of their own lives. This means choosing their goals, plotting their course and taking responsibility for their actions and the results. People with disabilities have the right to make their own choices and decisions and the right to make mistakes and learn/benefit from those mistakes. Centers for independent living (CILs) foster independence, help disabled people to develop networks and supports, promote self-reliance, and advocate for the inclusion and integration of people with disabilities in all aspects of community life.

STIC MISSION STATEMENT

STIC's mission has three parts. We provide assistance and services to people with all disabilities of all ages to increase their independence in all aspects of integrated community life. We also serve their families and friends and businesses, agencies, and governments to enable them to better meet the needs of people with disabilities. Finally, we educate and influence our community in pursuit of full inclusion of people with disabilities.

STIC VALUES STATEMENT

- We value the ability of every human being to reach for their dream.
- We hold that each individual has strengths and weaknesses that must be taken into account in their journey toward their dreams. Each individual must accept the responsibility for the dream, the journey, as well as the work to get there.
- We offer support, ideas, tools, training, respect and concern.
- We will not do for, when it can be done by the person.
- We will not patronize for the sake of efficiency, or in the guise of caring. We will try to understand when this causes fear, anger and frustration.
- As we develop programs and policies, we will be guided by the dreams and abilities of the people we serve.
- No matter how difficult the road, we will always choose the path of inclusion and integration.
- We will not sacrifice our principles or values for money, convenience or expediency.
- We will not shy away from controversy if that controversy will further our mission.
- We offer hope and continue to look at each person as a unique and joyful experience that will teach us, and take us on a journey where we have never been.

THE BOARD OF DIRECTORS

Community service agencies, such as Southern Tier Independence Center, are commonly perceived by the public as relating to the community through the provision of services to members of the community. Just as essential to the relationship between agency and community, however, is the Board of Directors, whose members both represent the community and provide general oversight of the work of the agency.

The official role of the Board of Directors is limited and specific: it determines the policies by which Southern Tier Independence Center is governed. Implementation of these policies is the responsibility of the Executive Director, who is accountable to the Board of Directors. The members of the Board have no formal organizational ties to the other staff or the agency. Except in extraordinary circumstances, therefore, the Board of Directors does not become involved in the day-to-day operation of the agency.

Because the membership of the Board is composed largely of people with disabilities, and is required by law to maintain a 51% majority of disabled representatives, the relationship between the Board of Directors and the agency is a microcosm of the relationship of the Board to the community. The directors may themselves perhaps benefit from the sorts of programs the agency maintains; and, as area residents, the Directors are likely to perceive the needs of the community for services the agency might develop.

In view of all this, it is apparent that the perspectives of the Board of Directors will be personal and frequently empathetic rather than paternalistic toward consumers of agency services. It is this feature that makes centers for independent living such as Southern Tier Independence Center distinctive in their response to the community and in their responsibilities towards it.

The Board of Directors wants Southern Tier Independence Center (STIC) to be operated well for the sake of its consumers and to be operated fairly for the sake of its employees. One of the best ways to do this is to put in writing the policies by which the agency is operated. That is why this Employee Manual has been printed and given to everyone who comes to work at STIC. If you have a question about your job, we recommend that you look first in this manual to find the answer. If you still have a question, please ask your supervisor or the Executive Director.

BEING HIRED AND WORKING AT STIC

AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYMENT POLICY

In accordance with state and federal guidelines, Southern Tier Independence Center, Inc. is an equal opportunity employer. It is our policy to hire the best-qualified applicant for the position, without regard to disability, race, color, ethnicity, religion, gender, sexual orientation, national origin, age, or veteran status. It is our first preference to give staff an opportunity for advancement through promotions within our agency. Any openings not filled in this manner will be advertised with, at a minimum, the following entities: local offices of state agencies including VESID and the Department of Labor; poverty and minority organizations; religious organizations including minority churches; agencies/organizations working with people with disabilities. When feasible, job openings will be announced in our newsletter, which reaches thousands of individuals, agencies, etc. Southern Tier Independence Center continually and actively seeks methods to guarantee equal opportunity and strives to develop and promote policies and practices that discourage or prevent discrimination.

EQUAL ACCESS AND REASONABLE ACCOMMODATION

As a disability rights organization, STIC strives to be a model of equal access and reasonable accommodation for our consumers and staff as well as the community at large. Toward this end we provide the following:

A. Physical Access: Our facility, and all of our sponsored events, are accessible to people with all disabilities including mobility and sensory disabilities.

B. Communication Access: Upon request we provide sign language interpreters for deaf consumers and staff as well as materials in alternate formats such as: braille, large print, tape, or computer diskette. Staff or volunteers will read program/service related materials to consumers if such an accommodation is needed. Additionally, STIC has assistive listening devices available to both staff and consumers.

C. Program Access: STIC will provide services in an alternative manner, such as at an alternate site, if an individual's disability requires such an accommodation.

D. Reasonable Accommodations for Employees: As mandated by our philosophy and the requirements of the Americans with Disabilities Act and New York State Human Rights Law, STIC will offer and provide reasonable accommodations to employees with disabilities if they are "otherwise qualified" for the position and inform us of the need for such accommodations. This could include: flexible work schedule; assistive devices; minor task modifications of non-essential job functions; etc.

PROBATIONARY EMPLOYMENT PERIOD

It is impossible to tell for sure how well you are going to work until you have been an employee for a while. For this reason, as a newly hired employee or as a newly rehired employee, you are considered a probationary employee for the first six months of your employment.

This probationary period may be made longer if your supervisor and the Executive Director agree that more time is needed to permit you to reach an acceptable level of work performance. However, this cannot be done unless the supervisor writes an evaluation of your work performance with specific notes of what you have to do to be made a permanent employee and how many additional weeks are being allowed for this to happen before a final decision is made.

The probationary period is, in other words, an opportunity for you to demonstrate what you can do in the agency and also for you to learn more about the agency and the position so that you can decide whether or not to continue. If your performance on the job does not measure up to the agency's expectations and/or standards, the employment relationship can be terminated by the agency or by you without blame or stigma towards you and without advanced notice by the agency.

When you have been working for STIC for almost six months, your supervisor will conduct a performance evaluation, which may include: an assessment of the work you have been doing; a review of your initial application/resume to STIC; another interview with your supervisor. All of this information is put together to make a decision whether or not you will become a permanent employee and what sort of work assignments you will receive in the future.

PERMANENT EMPLOYMENT

Southern Tier Independence Center knows that most people want job security. If you are named a permanent employee after successfully completing your probationary employment period, this means that you will not be dismissed from your job without warning, unless you have done something that puts in danger the operation of the agency or its other staff or consumers, or unless you have engaged in conduct that seriously violates the laws, rules or regulations by which the agency is legally required to operate, or if you seriously violate the agency's code of ethics, values and/or philosophy. (See Disciplinary Guidelines, page 27 for more details.)

Your employment status could also be affected by our funding. If STIC loses funding for some reason, the agency may need to lay off one or more employees. (See Layoff, page 13 for more details.)

If you work a regular schedule for STIC, you can become a permanent employee whether you work full-time or part-time.

TEMPORARY EMPLOYMENT

Temporary employment is employment that from the beginning of the employment period is understood by both the worker and the agency to be temporary. Temporary employees are hired full- or part-time to substitute for or to supplement permanent staff. The anticipated length of employment, the scope of duties, the amount of compensation, and the conditions of employment pertaining to the temporary position are clearly defined in the job description or a letter of employment or both. Temporary employees receive at least the minimum salary for the job classification under which each is employed; they work the same schedule of days and hours; but they have no claim to agency benefits such as retirement, health insurance, and days of paid absence excepting those benefits required by law. A temporary employee is not a permanent employee, regardless of whether the person works a regular schedule or not and regardless of how many hours the person works per week. For example, Employment Specialists (job coaches) are considered to be temporary employees, hired to work with a specific consumer(s) until there is no longer any need for their support.

FULL-TIME AND PART-TIME EMPLOYMENT

Sometimes this manual talks about full-time employees or part-time employees. You are a full-time employee if you work for STIC at least 35 hours per week. You are a part-time employee if you work for the agency at least 15 hours per week but less than 35 hours per week.

ORIENTATION

Southern Tier Independence Center recognizes that as a new employee you must become acquainted with the agency to learn not only your job responsibilities, but also the rules, regulations, policies and procedures under which STIC operates. This will include official policies as well as day-to-day routines.

Accordingly, during the probationary period, you will take part in an appropriate program of orientation to familiarize yourself with this necessary information. Your supervisor will orient you to the specific duties and responsibilities associated with your particular job. Other designated staff may assist the supervisor in orienting you to the personnel and general policies of STIC. This is the time for you to learn as much as possible about your job description, the equipment to be used, and the methods of work required, thus laying the foundation for future successful job performance and job satisfaction. The orientation permits you to help determine your suitability for the job, your adaptability to the work environment, and your potential to progress under actual working conditions.

PERFORMANCE EVALUATIONS

Most workers like to know how their superiors view their job performance, and STIC is of the opinion that you have the right to a periodic evaluation of your job efforts. The purpose of such an evaluation is to give feedback to employees about how they are doing as well as to offer positive opportunities for change. They may also be used as a tool to develop future goals for professional growth and career advancement.

For these reasons, a formal written appraisal of your job performance is made by your supervisor near the conclusion of your probationary period of employment. After that, such a performance appraisal is made of your work at least once each year or more often if there is a particular reason to do so. Other such reasons include times when you are being considered for promotion or other change of job within the agency, or times when there appears to be difficulty with your work.

You are entitled to a copy of your formal job appraisal, whenever it is written, and you also have the right to discuss the appraisal with your supervisor and to respond with comments in writing, on computer diskette or on tape. Your response must be submitted within ten working days of the date you receive the appraisal, and it will be placed in your personnel file along with the performance appraisal. If you disagree with points in your appraisal you should discuss them with your supervisor and take the opportunity to have your response included in your file. After the discussion, if your supervisor is in agreement, he/she may choose to make changes to the performance appraisal and only include the final version in your file. If your supervisor does not agree, she/he may, but is not required to, provide you with a written response.

Under no circumstance will an employee be informed for the first time of an issue or concern with their work performance or employment at STIC in the performance appraisal. You have the right to expect to be advised of and given an opportunity to correct problems/issues before they appear in your evaluation. If the situation was not serious and/or was resolved easily, the problem may never even be mentioned in an annual performance appraisal. If the problem was serious, but was satisfactorily resolved, it may be mentioned in the appraisal and the satisfactory resolution will also be included.

IN-SERVICE TRAINING AND CONTINUING EDUCATION

The development of programs and options for people with disabilities is a relatively new and growing field. For the agency to keep on doing a good job for its consumers, it is necessary for the employees to keep on learning more about their jobs and about the work of the agency and to keep abreast of current developments in the area of Independent Living. Because of this, you are likely to be required from time to time to attend in-service training programs for continuing education purposes. You may also hear of such events (workshops, conferences, etc.) which, although not required, would enhance your work at the Agency. The approval of the Executive Director is required for attendance at any continuing education event to be counted as time worked. Your attendance at such training opportunities may be reviewed/considered when your work performance is being evaluated, if you are applying for a different position, or if you are eligible for a promotion. Southern Tier Independence Center does recognize, however, that certain sorts of continuing education that are required may not always be available at a time when it is reasonable to expect the employee to attend due to his or her circumstances. If this should occur, discuss the situation with the Executive Director. If your reasons are valid, you may be excused from attending and/or other arrangements may be made to provide the training to you.

SIGN LANGUAGE

Whether one perceives deafness as a disability or as tending to create a cultural minority who use sign language as a means of communication, STIC recognizes that it is highly desirable for all people who deal with deaf individuals whether as co-workers or consumers to be able to communicate with them in sign language. Accordingly, unless an employee already has basic proficiency in sign language or has a disability that prevents him or her from using sign language, every employee will be expected to take a course in sign language at his or her earliest convenience after being hired. STIC makes every opportunity to offer this class in-house, but it may not always be feasible and an employee may need to take a course elsewhere.

PERSONNEL RECORDS

It is important that you assist in keeping your personnel records correct and up to date and that you also inform your supervisor of any changes as soon as possible. Current information about any change in your name, address or telephone number enables the agency to reach you in case of emergency and to forward paychecks or any notices to you that may be necessary.

A completed application, letters of reference, pertinent insurance notices, letters of recommendation and other correspondence, and copies of certificates of completed continuing education are to be kept on file in your individual personnel folder as appropriate. Such records remain the property of STIC. Employees may review their personnel file by submitting a request to the Executive Director.

READINESS FOR WORK

Southern Tier Independence Center must represent the philosophy of Independent Living not only in written statements and execution of programs, but also in the impression the staff make on consumers and the public at the agency headquarters and other assigned work locations. As an employee of STIC, therefore, you must be on duty appropriately dressed and must maintain appropriate standards of neatness and cleanliness. You must appear at your job location at the time designated by the agency ready for work. You must end the work day at the designated time, unless specifically assigned by your supervisor or by the Executive Director to modify your schedule, or unless work requirements unexpectedly make an extension of the work day necessary. If circumstances should require a change in schedule, the Executive Director must approve the change in advance (except in the case of an emergency).

ATTENDANCE

As an employee of Southern Tier Independence Center, you are expected to be on the job according to your work schedule/assignment, unless you are sick or injured or unless you have another reason for being absent in accordance with the provisions of this manual. If you are going to be away from your job, you are expected to call into the agency just as soon as possible, but at least before the start of the work day. If you have made work-related appointments for a day you must be absent, you must notify the agency of these also when you call in.

If you are absent too much, especially, if you are absent more than the number of days you have earned for sick leave and other days of paid absence, you may lose your job. Repeatedly being absent from work or repeatedly being late to work will result in disciplinary action. Habitual tardiness will be considered a negative reflection on your attendance record. Failure to report to work for three consecutive work days without notifying the agency is ordinarily interpreted as your voluntary resignation.

WORK AT HOME

A. Working at home is a privilege, not a right.

B. No one is to work at home without prior approval from the Executive Director.

C. If you fail to get approval to work at home, your work time will not be approved and you will have to use personal, vacation or compensatory time.

D. If you are granted approval to work at home, you will need to keep a log of your time and activities. The log must be turned in to the Executive Director immediately upon your return to work.

Below are some examples of what is required in your log. They are just examples and are therefore not inclusive.

Phone calls: Whom you talked to and for how long.

Research on the internet: Subject/issue you were researching and for how long.

Paperwork: What type of paperwork you were doing and for how long.

EMPLOYEE CODE OF ETHICS

In keeping with STIC's independent living philosophy and values, the code of ethics is intended as a brief guide for dealing with ethical issues or dilemmas in the course of everyday work.

A. Our primary commitment is to people with disabilities seeking independence.

B. We respect and promote the right of people with disabilities to self-determination and assist them in their efforts to identify and clarify their goals. We will not, however, assist consumers in achieving goals that violate STIC's philosophy, values, ethics or the law.

C. Confidentiality: All consumer records and information are confidential and will not be discussed or released to agencies, organizations, professionals or other individuals without a legal release signed by the consumer, except as noted below. Legal releases will be for specific information to be released to a specific individual/organization/agency for a specific reason, which will appear on the release form. They will also be time-limited.

As mandated by law, STIC also complies with confidentiality requirements that are specific to people with AIDS or who are HIV positive and to their records.

Exceptions to confidentiality policy:

1. We are required to release information about who receives which services to auditors and funding sources at their request except where specifically prohibited by laws and/or regulations.

2. Except for information provided to psychotherapists (Professional Counseling Services), we must release any and all records to legal entities serving a subpoena, and any STIC employee except psychotherapists may be required by subpoena to testify in a court of law about interactions with consumers.

3. Any STIC employee who sincerely has good cause to believe that someone encountered in the course of their work is engaging, or intends to engage, in emotional, physical or sexual abuse of children, has been or intends to physically harm another person, or intends to commit suicide, must report this information to the proper authorities. If at all possible, employees must discuss such suspicions with their supervisor before making any report.

D. Consumer Records:

1. All information about a consumer, whether contained in the consumer records, obtained through discussions with consumers and/or others, etc., will be treated in a respectful and professional manner.
2. Consumers have the right to see any information in their records generated by STIC staff and any other information received by STIC that can legally be disclosed to the person.

3. In addition to containing demographic and service data, records may contain other factual information that directly contributes to meeting the consumer's

service needs. Records shall not contain personal judgments or conclusions, or information that could have a negative impact on a consumer if subpoenaed by a court of law, or if seen by a funding source during a record review.

4. Any information that cannot legally be released to a consumer will not become a permanent part of any consumer record and will be destroyed or returned to its source as soon as feasible, generally meaning as soon as it has been reviewed by the appropriate staff.

E. Employees may not accept gifts of significant value, or cash in any amount, from any recipient of STIC services or any person encountered in the course of their work. Employees may encourage those who wish to show appreciation for services received to make a donation to the agency. Gifts of appreciation such as a box of candy, flowers, a plant, a small trinket, etc. are acceptable. Gifts such as expensive jewelry, appliances, out-of-town trips, etc. should not be accepted.

F. Employees will not expect or require consumers to render a personal service to any employee as a condition for receiving services from that employee, nor will they exploit consumers in any way or violate any laws or regulations in the course of their relationships with consumers.

G. Employees should use discretion about when and where they discuss confidential/consumer issues with co-workers to ensure that conversations are not overheard.

H. Personal relationships with consumers:

It's an essential component of the Independent Living service model that employee interactions with consumers be friendly and informal, and convey a true sense of caring concern and involvement. However, there are limits on these relationships that must be observed in order to ensure that consumers remain in control of the process and that there is no opportunity for exploitation.

1. Employees shall not engage in sexual activities or relationships with consumers they are serving, or with those consumers' families, friends or other close associates. It is the responsibility of employees to set/define appropriate boundaries for relationships with consumers.

2. Employees shall not stop providing services to a consumer or the consumer's family members, friends or other close associates, or refer them to another employee, for the purpose of pursuing a sexual relationship with that person.

3. Employees shall not verbally, physically or emotionally harass or abuse consumers in any way. (See harassment policy, page 23.)

4. Employees shall not touch the service animals, wheelchairs, or other personal assistive devices of consumers without the consumer's consent.

I. Employees shall not provide peer, personal or professional counseling services, or any other extended or intensive service, to their family members or close personal friends, except in situations where it is culturally unavoidable (such as in the Deaf community or other close-knit minority groups).

J. Under certain extraordinary circumstances, employees have the right to refuse to serve a specific consumer and to refer that consumer to other appropriate staff. In all cases, staff will obtain permission from their supervisor to do so.

K. When representing STIC on other boards, committees, etc. in the community, employees will uphold and represent the philosophy, values and ethics of STIC.

L. Employee interactions:

1. Employees are responsible for expressing their wants, needs and concerns in an assertive manner to each other, their supervisors, or the Executive Director, as appropriate to the situation. Employees are expected to speak only for themselves and not for others.

2. Employees shall treat each other with courtesy and respect.

3. Employees shall listen to each other and give others an opportunity to express differing views and opinions without fear of ridicule or derision.

4. Employees shall not verbally, physically or sexually harass or abuse other employees based on their gender, race, cultural background, disability, ethnicity, sexual orientation, language or in any other way, as provided for in our harassment policy (see page 23).

5. Employees shall not give out the personal addresses or telephone numbers of other STIC employees without their consent.

CONTACT WITH CONSUMERS AT OTHER THAN NORMAL WORK TIMES

It is an important part of the Independent Living philosophy for employees of this agency to develop informal peer relationships with consumers. However, there are two potentially serious problems that can result from this. First, employees may become overburdened, and their on-the-job performance, as well as their health, may suffer as a result. Second, relationships of dependency can develop. It is not in the best interest of any consumer to become accustomed to making service demands on employees outside of the employee's work schedule, and it violates the Independent Living principle of self-reliance. We recognize, however, that some cultures may view this issue differently, and in such cases those cultural preferences will be taken into consideration when applying the policy below.

While each employee must exercise personal and professional judgment in these matters, the following guidelines should be adhered to:

A. Employees will not regularly provide any non-emergency service to a consumer during non-work hours that can be provided during the employee's scheduled work hours, even if the consumer must be placed on a waiting list for the service.

B. Employees should not give their home phone numbers to consumers for the purpose of conducting work at home, except in rare cases when the employee, as part of their regular job duties, may be expected to render legitimate emergency services, AND a specific consumer is likely to legitimately need emergency services.

C. If a consumer somehow obtains an employee's home phone number and calls the employee to request an after-hours service other than a legitimate emergency service, the employee will politely inform the consumer to call at work, during work hours, and terminate the conversation. The employee will NOT provide the service under any circumstances.

Note that the above does not prevent an employee from developing a friendship with a consumer and pursuing non-work-related activities together. Nor does it prevent, under special circumstances, employees from arranging in advance to provide a limited (generally one-time) after-hours service to a consumer such as transportation, or accompaniment to an advocacy-related meeting. However, even in such cases, professional judgment and discretion are required to avoid encouraging consumers to become dependent on employees. Accrual of compensatory leave will not be granted for conducting unauthorized work at home, unless the situation is deemed an emergency by the staff person and the Executive Director gives subsequent approval (see Work at Home, page 8).

SMOKING POLICY

There is no smoking allowed anywhere inside STIC's building including in rest rooms, elevators, stairwells, etc. Employees may smoke outside only. Employees may not smoke in the presence of consumers and employees will not meet consumers outdoors or in indoor locations where smoking is permitted in order to smoke while working with them.

CHANGING OR LEAVING YOUR JOB

CHANGE OF JOB WITHIN THE AGENCY

People change. Most people want to improve themselves. Some people find that the job that they were hired to do is not the right job for them after a while. With these things in mind, STIC informs its workers of any vacancies or new positions being created. Employees who are interested and qualified will ordinarily be given the first chance at the opening before non-employees are considered. If you make such a change within STIC, you will again be put on probation. However, you won't lose your benefits and you won't get a probationary wage. You will be on probation for all other purposes (as described elsewhere in this manual, see page 4) for a period of three months. If the new job turns out not to be right for you, the agency will not guarantee that you can have your old job back again.

RESIGNATION

Many reasons may occasion the resignations of employees from their jobs at STIC; but, however personally significant those reasons may be to the employee, the resignation of any worker has an impact on the work of the agency. Accordingly, if you decide to leave employment with STIC for any reason, it is requested that you submit your resignation in writing, on computer diskette or on tape. The amount of notice you give should be equal at least to the amount of vacation you have accrued plus compensatory time accrued, or three weeks, whichever is greater. This makes it easier to find a suitable replacement worker or to make other arrangements for the fulfillment of your former job responsibilities, allowing STIC to continue providing effective, quality services.

A resignation requested by the agency as an alternative to dismissal shall, insofar as the rights of the agency and the employee are concerned, be construed as equivalent to dismissal.

LAYOFF

Sometimes economic conditions or circumstances within the agency cause a position to be abolished temporarily or permanently. When this occurs, STIC may choose to terminate the employment of a worker without prejudice to him or her. This is commonly called layoff. Whenever such a reduction of staff is necessary, such a decision shall be expressed to the employee in writing by the Executive Director in advance of the effective date of the notice; the amount of advance notice shall be at least 30 calendar days, unless otherwise required by the applicable funding source. Decisions regarding layoff of an individual employee at any given time shall be made based on such considerations as funding restrictions/cuts, importance of the position to the operation of STIC in general, length of employment with the agency, and/or evaluation of job performance.

Employees who are laid off may be eligible for unemployment benefits as allowed for under New York State and Federal labor laws/regulations.

Any employee who is laid off has the opportunity, if he or she wishes, to resign formally and be recorded as having resigned in good standing. An employee who is temporarily laid off shall be so advised and shall receive priority for rehiring should the position be reinstated.

LEAVES OF ABSENCE

Southern Tier Independence Center recognizes that there may be times when an employee needs to take a leave of absence. Permanent employees, whether full- or part-time, are eligible. No request for a leave of absence will be approved unless the following requirements are met:

A. The request must be made in writing, on tape or computer diskette, to the Executive Director stating the reason for the leave and the period for which it is desired. This period shall not exceed one year.

B. During such leave accruable benefits such as vacation, personal and sick leave do not accumulate. When you return to work you will be at the same benefit level as when you left. Protection under the health insurance program may be continued if you wish, but you must contact the insurance company to make the necessary arrangements and you are responsible for paying the entire cost of the premiums.

C. If your request for a leave of absence is approved, the agency expects to return you to your work position at the conclusion of your leave. Since the agency cannot anticipate extenuating circumstances such as federal and/or state budget cuts, the guarantee of a return to your job cannot be absolute. If the agency cannot return you to your position, the agency may offer you the first available position for which you are qualified and appropriate, in keeping with the other provisions in this manual. An employee who does not return to work at the end of the authorized period and has not been granted an extension of the leave, will be considered to have voluntarily resigned his or her position effective the day the leave began.

ELIMINATION OF POSITIONS

Unfortunately, it is sometimes necessary to abolish a position due to unforeseen cuts in funding or other non-work performance related issues. If this should occur and there is another open position in which the affected employee is interested, then he/she will be considered for the other position. The employee will be given the first opportunity to change jobs, before it is offered to other employees within the agency. However, there is no guarantee that the affected employee will be hired, unless he/she is qualified for and capable of doing the job to the agency's satisfaction. If the new position results in a cut in pay, the salary will not be reduced for 30 calendar days. If the salary is higher, the increase will go into effect immediately upon the job change. As with any other change of job within the agency, the employee will be on probation for three months. If no open positions are available, the employee will be laid off and may be eligible for unemployment benefits as allowed for under New York State and Federal Labor laws/regulations. (See Layoff, page 13.)

DEMOTION

After an employee has worked for STIC a while, we may discover that he/she is unable to carry out the responsibilities of his or her position, but the agency may have an unfilled position for which it considers the affected worker suitable. When such a lesser position is offered, the reasons for the change shall be expressed to the affected employee in writing (and other accessible formats as necessary). However, if another position is open, we do not guarantee that a demoted employee will be hired for it. The person must be qualified for and capable of doing the job to the agency's satisfaction. With this in mind, when such a lesser position is offered to an employee, the employee being demoted shall have prior consideration over other employees who may be interested in the position (with the exception of an employee who is being terminated due to funding cuts or other non-performance related issues). Additionally, if the salary for the new position is lower, his/her rate of pay shall not be reduced for 30 calendar days. As with any other change of job within the agency, an employee so demoted will be on probation for three months. The employee shall also be afforded the opportunity to resign in accordance with the other provisions of this manual.

SEVERANCE PAY

Ordinarily, the agency owes an employee whose employment it has terminated only accrued salary and benefits. When an employee is dismissed for reasons beyond his or her own control, however, and the individual has contributed substantially to the development of the agency, the Executive Director may recommend to the Finance and Personnel Committees that an amount of severance pay be awarded to the individual. The final decision on such matters shall be made by the Board of Directors.

EMPLOYEE COMPENSATION AND BENEFITS

RATES OF PAY

This agency endeavors to pay its workers fair wages and salaries in keeping with the philosophy of Independent Living. A number of factors are considered in determining your rate of pay. These may include: prevailing rates of pay for similar jobs locally and at other CILs or disability organizations; economic conditions; the duties and responsibilities of your job; the length of time you have been employed by STIC; applicable work experience you have had elsewhere; training and education you have had pertinent to the job; and budgetary constraints and requirements.

If you should ever notice a mistake in your paycheck, notify the Fiscal Manager or the Executive Director immediately. Corrections are ordinarily made in the next paycheck.

TIME OFF

Leaves

For the purpose of calculating the number of hours/days of leave a permanent employee is entitled to, we must determine an average work day for each employee. One "day" is therefore defined as one-fifth of the hours worked each week, regardless of the employee's work schedule. This insures that every employee gets the same amount of time off, pro-rated to the number of hours they work.

In the case of paid holidays, if you are a part-time employee and you do not ordinarily work on the official holiday, then you may take the appropriate number of hours off at a different time that week, or accrue the time and take it off later with permission from the Executive Director.

Similarly, if you are a part-time employee and ordinarily work on a day that is a holiday, and you work a higher proportion of your hours on that day (than your average work day) then you may actually owe time to STIC. This may simply mean that you work additional hours during the week or take the remaining hours off as personal, compensatory or vacation time.

Sick Leave

Permanent employees, whether full-time or part-time, are entitled to the equivalent of twelve days of sick leave during each year of service, accruing at the rate of one day per month. A day is equal to 1/5 of the employee's hours per week. New employees may use sick leave as they accrue it. No more than 100 days may be accumulated. Sick leave is not earned during leaves of absence; it is given only for illness and cannot be applied as additional vacation time. When you are ill, it's required that you or someone on your behalf notify the Office Manager or Clerical Assistant promptly. They will, in turn, convey the information to your supervisor and Executive Director. If you are absent more than three consecutive days, the Executive Director may require you to obtain a physician's authorization to return to your job. Under no circumstances will you be paid for unused sick leave when you leave or are dismissed from STIC's employ. If an employee exceeds the 100-day limit, the additional days will be added to the Sick Pool until such time as the employee's accrual drops below 100 days. (See Sick Pool Policy, page 17, for more details.)

Sick Pool Policy

In order to offer additional support for employees during times of illness or other health-related issues, STIC has developed a "sick pool" of extra days, which an employee could apply to use if he/she has used all of his/her sick leave.

When employees leave the agency for any reason, their unused sick leave will be put into a general sick leave pool. Also, if an employee reaches the maximum number of allowable sick leave days, his/her extra days will be added to the sick pool. If there are no days remaining in the pool, the Executive Director may ask other employees if they wish to contribute time to cover a request. The names of both the contributor(s) and the employee making the request will be kept confidential. No employee will be permitted to donate to the pool if he/she has ten days or less of sick leave accumulated.

Contributions to the pool are completely voluntary. Employees will not be penalized if they do not wish to donate time.

The following steps and criteria must be met in order to apply to and be approved for the sick leave pool:

A. An employee is in need of major surgery or is experiencing a serious physical or mental illness that requires more leave than the employee has accumulated. Minor illnesses such as colds, flu, sinus infections, etc. are not covered by the pool.

B. The request for sick leave from the pool must be made in writing, on tape or computer diskette, and be approved by the Executive Director.

C. The request should contain specific information on the nature of the illness/health issue and the number of days being requested.

D. The Executive Director may require a note from a doctor under some circumstances.

E. If the time to be missed is longer than ten work days, the employee will be advised to apply for NYS Disability coverage (which can be explained in more detail by the Fiscal Manager or Executive Director). The employee may still request hours from the pool to be used for the portion of time to be missed that is not covered by NYS Disability.

Each request for sick pool coverage will be evaluated on an individual basis by the Executive Director. Final approval will be left up to his/her discretion.

Bereavement Leave

In the event of the death of a member of the immediate family or household of an employee, the agency grants limited paid bereavement leave to permanent employees not to exceed the equivalent of three days. "Immediate family" refers to spouse, parent, brother, sister, foster parent, foster child, or child. It also includes the following in-laws: brothers, sisters, mothers and fathers. Please check with the Executive Director for approval.

Maternity Leave

A permanent employee may take up to three months of maternity leave after delivery or adoption of her child, which may be extended with the approval of the Executive Director to up to six months. She shall be allowed to use all sick leave, vacation, and compensatory time if necessary, with the remaining time unpaid. A request for maternity leave should be submitted to the Executive Director at least one month before the employee's due-date to allow arrangements to be made for coverage of the position during the employee's absence.

A pregnant employee who is determined to be medically disabled from the performance of her duties, will be treated the same as any other temporarily disabled employee. (See NYS Disability, page 21.) Once the child is delivered, the employee will be eligible for the same maternity leave benefits if the disability coverage is terminated. A request for maternity leave should be submitted to the Executive Director at least one month before the employee's due-date to allow arrangements to be made for coverage of the position during the employee's absence.

Paternity Leave

A father who is a permanent employee may take up to three months paternity leave at any time within a year after delivery or adoption of his child, which may be extended with the approval of the Executive Director to up to six months. He shall be allowed to use all sick leave, vacation, and compensatory time if necessary, with the remaining time unpaid. A request for paternity leave should be submitted to the Executive Director at least one month in advance, to allow arrangements to be made for coverage of the position during the employee's absence.

Personal Leave

Southern Tier Independence Center realizes that on occasion you may have personal business to attend to that cannot be accomplished other than during work hours. Accordingly, if you are a permanent employee, either full-time or part-time, you are allowed the equivalent of three days of paid absence per year for this purpose, starting with the day that you begin work. (A day is 1/5 of your weekly hours.) On the anniversary of your date of hire you will again be given three days for personal use, but you may not carry over any unused personal days from the previous year; no employee may use more than three paid days of personal leave in one year. Although you can use these days any way you think appropriate, remember that STIC anticipates that you will need this time for legal appointments, court appearances, medical appointments, or any other personal need not otherwise accommodated by other provisions of this manual, such as those for illness or bereavement. You will not be paid for unused personal time if you are dismissed from your position at STIC. If you resign from your position or are laid off and are leaving in good standing, the Executive Director may pay you for any remaining hours of personal leave, if funding permits. If you are resigning in lieu of dismissal, no such consideration will be given.

You must notify STIC as soon as possible when you realize that you will have to use a paid personal day of leave. Ordinarily these days must be approved in advance by the Executive Director. If you need more than three such days per year, STIC will not guarantee that you can take days off without pay.

Jury Duty

This agency recognizes the obligation of citizens to serve as jurors from time to time and promotes the notion that people with disabilities are the peers of any citizen. If you are summoned to such duty, you are to inform your supervisor immediately in order that plans may be made to have your job done in your absence. The agency will continue to pay you according to your regular rate of pay and according to your normal work schedule at STIC.

Compensatory Time

The work of this agency is planned so that ordinarily it can be accomplished by each employee within the bounds of her or his regular work schedule. From time to time, however, it becomes necessary for some workers to stay longer hours than usual; on occasion, other considerations such as special assignments or approved continuing education required by the agency extend the number of hours worked by an employee. Inasmuch as funding restrictions prevent STIC from paying overtime for such hours worked, the employee may accumulate limited additional hours to be used as time off with pay at a later date. At no time shall an employee work more than forty hours in one week. Ordinarily the accrual of compensatory time must be approved in advance by the Executive Director. The approval of the Executive Director is also required before such hours can be used as time off by the employee. The number of hours off shall be equal to the number of additional hours worked. Because job descriptions themselves must be reviewed from time to time to determine whether they adequately reflect work requirements and working conditions at STIC, all records of the accumulation and use of compensatory time shall be maintained in the file of the worker.

If you have accumulated more than fourteen hours of compensatory time, you may use it by delaying your arrival at work no more than two hours in any one day, but only if you have no appointments scheduled during that time. You are required to notify STIC, however, no later than the beginning of that work day.

Banking Time

Southern Tier Independence Center has been authorized to pay employees by check. Applicable laws require an employer who pays by check to allow twenty minutes to each employee for banking time. All employees are eligible for this time, whether they physically receive a paycheck or have elected to have direct deposit. If you need time to go to the bank, please advise the Clerical Assistant, Office Manager, or other personnel staffing the front desk each time. Banking time can only be taken on pay day, or the day you receive your check, and must be attached to your lunch hour. This 20 minutes time is to be used only for your personal banking needs, and for no other reason.

Meal Breaks

The eating of meals by employees is a matter both of ordinary human need and of governmental regulation in the form of labor law. Accordingly, full-time employees shall ordinarily be given an uninterrupted one hour unpaid meal break to be scheduled with their supervisor, but normally, this break must be taken no later than 6 hours after the beginning of your work shift. For a variety of reasons, some employees prefer a shorter meal break. Therefore, we will permit a meal break to be shortened to 30 minutes as long as the length is consistent from day to day.

Vacations

Southern Tier Independence Center believes that all employees need vacation time for personal relaxation and refreshment and to provide a change from the activities of the workplace. Vacation is an earned benefit of permanent employment. It is accrued during the probationary period conditional upon that period's successful completion.

Vacation is earned at the rate of one and one quarter (1 1/4) working days per month (i.e., the equivalent of 15 days per year) for each of the first two years, and one and two thirds (1 2/3) working days per month (i.e., the equivalent of 20 days per year) each year thereafter. A day is 1/5 of the hours worked in a week.

No more than the equivalent of 40 days of vacation leave may be accrued at any time by an employee. Vacation leave may carry over from year to year as long as it doesn't exceed the 40-day limit.

All requests for vacation time must be approved by the Executive Director. Approval is given on a first-come, first-serve basis, but such factors as staffing levels, seniority and length of advanced notice may be taken into consideration in granting requests for vacation time. Vacation pay may be paid in advance upon request with the approval of the Executive Director.

Holidays

Employees typically enjoy being with family or friends on popularly observed national and religious holidays; and, for that matter, the agency is closed on many of them.

All permanent employees, therefore, will receive the following days off with pay: New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day (or equivalent religious holiday). Additionally, Election Day and Washington's birthday are given as floating holidays (accrued in the months they occur) and must be used within one year of their accrual. (With approval of the Board of Directors, the Election Day floating holiday is usually taken on the day after Thanksgiving and the agency is closed on that day.) Holiday time can be taken off in the same manner as vacation, personal or compensatory leave, requiring the submission of a time-off request and permission from the Executive Director or other applicable staff.

Some of these national or religious holidays may occur on a Saturday or Sunday. When this happens, the Executive Director will decide whether the agency will be closed on the Friday preceding or the Monday following.

MEDICAL BENEFITS

Health and Dental Insurance

STIC offers health and dental insurance to all of its permanent employees. STIC covers the full cost of the health and dental plans for full-time permanent employees. Part-time permanent employees may also enroll in the health and/or dental plans but you must contribute a portion of the premium costs, determined on a pro-rated basis. Your share of the premium payments will be deducted from your paycheck. For example, if you work half-time, STIC will pay half of the insurance premium and you would need to pay the other half.

Both full-time and part-time permanent employees may purchase coverage for family members, at your own additional expense to be paid as a payroll deduction.

Details are explained to you when you are hired. If you should decide to apply for the health or dental insurance, you may be asked by the insurance company to furnish evidence of insurability.

Workers Compensation (injuries on the job)

Southern Tier Independence Center wants to have safe working conditions at its facility in order to prevent accidents or injuries. When there is an accident, it must be reported as soon as possible. Prompt reporting by the injured person, if able, or by witnesses is necessary to prevent further accidents and to be sure that the injured person receives all the benefits to which he or she is entitled. The amount of such benefits is determined by the Workers Compensation Board of the State of New York. Forms may be obtained from STIC's Fiscal Manager.

New York State Disability (non-work-related injuries/disabilities)

Sometimes an employee is unable to work for a long period of time because of an injury or extended illness. Southern Tier Independence Center provides benefits for the employee when this happens in accordance with the disability benefits law of the State of New York. Because the rules, benefits, and applicable laws change from time to time, this manual does not contain detailed information about it. Ordinarily, however, the agency endeavors to pay the difference between the disability allowance and full pay for as many days as a temporary disability continues, up to three months. If your condition continues but you still expect to be able to return to work, this period may be extended to six months with the approval of the Executive Director. Upon granting such an extension, the Executive Director will assess the agency's financial situation and determine whether or not STIC can continue to subsidize the disability payments. Early attention to disability claims is highly advisable. Forms may be obtained from STIC's Fiscal Manager. This benefit applies only to disability, illness or injury that is not related to work.

RESOLVING WORK PROBLEMS

GRIEVANCE PROCEDURES

As in any other workplace, people at STIC are expected to maintain good communications with their coworkers and to try to work out constructive solutions to problems that may arise. It is recognized as well that it is best for workers not to bring their personal problems into the workplace in such a way that they will interfere with their work or the work of others. Nevertheless, in any organization there are bound to be disagreements about issues relating to work. Southern Tier Independence Center has a procedure to use if you ever believe that you've been unfairly treated. Before turning to this procedure, however, you should frankly explain your feelings to your supervisor. In most cases he or she will be able to help you resolve the problem satisfactorily. If not, you may appeal to a higher authority through the procedure outlined below. In no case will you be reprimanded for following this procedure in the event of a work problem.

A. If your issues/concerns are not directly related to your work performance (such as a minor disagreement with your supervisor or another co-worker), you may choose to seek advice/assistance from STIC's Conflict Resolution Advisor. He/she will give suggestions on ways to informally resolve the issue and may also mediate discussions between you and the other employee if necessary. However, if he/she determines that the situation is more serious than you originally thought, he/she may ask you to bring the issue formally to your supervisor or Executive Director. Additionally, you may consult with the Conflict Resolution Advisor at any time during the entire conflict resolution process.

B. If you have an issue/problem/conflict and wish to make a formal complaint, state your concerns in writing, on computer diskette or on tape to your supervisor. Your supervisor will meet with you to discuss your concerns and may also choose to interview other employees who are involved or may have witnessed the situation. You will receive your supervisor's decision and the reason for that decision within ten working days, either in writing, on computer diskette or on tape. If the conflict is with your supervisor, you may discuss the situation with another supervisor or go directly to the Executive Director with your concerns.

C. Once you have discussed the situation with your supervisor, you may talk informally with the Executive Director. He or she will aid you in resolving the disagreement, guide you by offering suggestions, and do his or her best to help you resolve the disagreement. The Executive Director may choose to interview other employees if he/she feels that the situation warrants it and that they could shed light on the issues. Since this is informal, the Executive Director may not give a formal response to your situation.

D. If you are not satisfied with the response from your supervisor and the informal discussion with the Executive Director, you may request a formal meeting with the Executive Director to explain the issues and to seek his or her formal decision. The

Executive Director will meet with you to discuss your concerns and may also choose to interview other employees who are involved or may have witnessed the situation. You will receive a reply in writing, on computer diskette or on tape within ten working days of your meeting.

E. If you are still not satisfied with the decision after working through the previous steps, you may wish to contact the Personnel Committee of the Board of Directors if you feel that the situation is still unresolved and warrants further attention. The Personnel Committee will under no circumstances accept such a contact unless the previous steps have been followed. If you choose to bring your concerns to the Committee, you should state your complaint in writing, on computer diskette or on tape, with a copy to the Executive Director. The Personnel Committee will discuss the matter with the Executive Director and with you. The Committee may also choose to interview other employees as the situation warrants. The Personnel Committee will report the matter to the Board of Directors whose decision shall be final. The Personnel Committee will endeavor to make its recommendation to the Board of Directors at its next regularly scheduled meeting. Ordinarily, a special meeting of the Board will not be called to deal with such a situation. The Board of Directors will respond to you in writing, on computer diskette or on tape within ten working days of their decision.

F. If your conflict is with the Executive Director, you should still meet with your supervisor first. He/she will attempt to resolve the situation between you and the Executive Director. If this is not possible, or if the problem is very serious (such as an accusation of harassment, etc.) your supervisor may choose to take the matter directly to the Personnel Committee of the Board of Directors. You should never go to the Personnel Committee yourself in such circumstances, unless specifically asked to do so by your supervisor.

It is advisable that an employee who wishes to follow this procedure for the resolution of problems avoid unnecessary discussion of the issue with other workers who are not involved in the situation.

POLICY FOR PROHIBITING, PREVENTING AND REPORTING HARASSMENT

Southern Tier Independence Center views harassment of any kind as totally unacceptable and reprehensible behavior requiring immediate and decisive action if/when it occurs. The diversity among humans is natural and valued by STIC, and harassment related to any aspect of diversity (e.g., race, class, gender, sexual orientation, culture, language, disability, ethnicity, etc.) will not be tolerated in any form at the workplace or while conducting agency business, even if at a different location (e.g. a fundraising event, conference, etc.).

Harassment from customers, suppliers, consultants or other independent contractors working with the agency, and directed at employees, volunteers, consumers of the agency or visitors, also will not be tolerated. Both women and men can be the victims of sexual and/or other types of harassment.

Harassment could include, but is not limited to:

A. Distribution or display of "hate literature".

B. Unwanted touching or contact of a sexual nature, including brushing against the body "accidentally" or a "friendly" pat, pinch or squeeze.

C. Comments like "put out or get out".

D. Pressure to engage in sexual activity as a condition of employment or promotion.

E. Sexual or physical assault.

F. Persistent and unwelcome advances and/or requests for sexual favors.

G. Persistent, unsolicited and unwelcome sexual remarks, or any racial slurs or other derogatory comments about an individual's ethnic/cultural background, disability, etc.

H. Persistent and unwelcome sexual, racial, cultural or ethnic jokes.

I. Persistent and unwelcome offensive gestures or physical contact.

J. Display or circulation of written material or pictures derogatory to either gender, different cultures, people of minority status, people with disabilities, etc.

K. Personnel decisions based upon an employee's response to sexually-oriented requests or racial or other discrimination or motivations.

L. Explicitly or implicitly making submission to requests for sexual favors, etc. a term or condition of an individual's employment, promotion, receipt of benefits, etc.

It is the responsibility of every employee of STIC to see that no other employee, volunteer, visitor or consumer is subjected to any form of harassment. Should an employee become aware of the occurrence of such harassment, irrespective of whether the affected individual files a written complaint, it is the employee's responsibility and obligation to notify the appropriate staff person as described in the procedures below. Individuals who believe they are being subjected to harassment should make it absolutely clear to the alleged offender that the actions/comments, etc., are unwelcome and that they must stop immediately.

The following procedures must be followed when there is any indication that sexual, racial or other harassment is taking place or may have occurred:

A. An employee who believes he/she is experiencing harassment is very strongly urged to file a formal complaint (in writing, on cassette tape or computer diskette) with his or her immediate supervisor as soon as possible after the occurrence of the harassment. If the complaint concerns the immediate supervisor, the employee may report the problem to another supervisor or the Executive Director. If the complaint is against the Executive Director, the situation should be reported to your supervisor who will contact the President of the Board of Directors. If your supervisor is the Executive Director, then you should report it to the Program and Services Coordinator who will bring it to the President of the Board.

B. If an employee is aware of an occurrence of harassment against or involving another employee, visitor, consumer or volunteer, but discovers that no complaint has been filed by the affected individual and that the individual is unwilling to file a complaint, the employee is still obligated to report the situation to a supervisor who will then inform the Executive Director.

C. Immediately after receiving a complaint and/or becoming aware of harassment, supervisors will inform the Executive Director of the situation and circumstances, both verbally and in writing. If the complaint is against the Executive Director, the supervisors will immediately report it to the Program and Services Coordinator who will then contact the President of the Board of Directors.

D. The Executive Director and other appropriate staff will investigate all harassment complaints. This will include, but not be limited to, interviewing the complaining party, supervisors, possible witnesses, and any other personnel necessary, to obtain sufficient factual information upon which to base a final decision.

E. An employee, consumer, volunteer, visitor, etc. believed to be affected by sexual, racial or other harassment but who has not filed a complaint, will be contacted immediately to discuss the situation. If the individual contends that no harassment took place, the issue will be dropped. If, however, it is determined that an incident occurred, then an investigation will be conducted as per this policy.

F. All employees will be expected to cooperate in any investigation. Failure to do so could result in disciplinary action or dismissal. Confidentiality will be maintained to the greatest extent possible, although there can be no guarantee that all matters will remain confidential during the course of an investigation.

G. If at the conclusion of the investigative procedure it is found that harassment has occurred, the Executive Director will take immediate steps to discipline the employee(s) appropriately and implement any remedies necessary to insure that such an incident does not occur again. Such discipline may include but not be limited to one or more of the following:

1. A written warning in the offender's file

2. Requirement to attend training on sexual, racial and/or other harassment

3. Requirement to seek counseling

4. Placement on probation
5. Dismissal if warranted

H. The affected employee will be advised by the Executive Director, and the supervisor who reported the occurrence, of the final results of the investigation.

I. Every effort will be made to complete each investigation within ten working days of the initial report.

J. The Executive Director will keep the Board of Directors apprised of the situation throughout the investigation, and will inform them of the final results.

K. If the affected employee is dissatisfied with the results, he/she may bring his/her concerns to the Personnel Committee of the Board of Directors, once the Executive Director has rendered a decision. The employee must submit a complaint in writing, on computer disk or tape to the Committee and give a copy to the Executive Director.

L. In the event that the accused is the Executive Director, the Personnel Committee of the Board of Directors will conduct the investigation, using the same steps as outlined above. They will report their findings and recommendations to the full board, which will render the final decision on the matter.

If you have any questions about this agency policy or the procedure for investigating possible workplace harassment, please discuss it with one of the supervisors or the Executive Director.

DISCIPLINARY PROCEDURES

Southern Tier Independence Center insists that you maintain a good standard of work behavior on the job consistent with your job description and the provisions of this employee manual. In this way, consumers of the agency will be served properly, other employees will have a pleasant and safe place to work, and the agency will be run in the best way possible. If you do not maintain a good standard of work and of behavior on the job, the agency has to decide how bad the situation is and what to do about it. What the agency would like to do whenever possible is to help the employee resolve the problems and become a good worker again.

Occasionally, the problem is bad enough that the agency must immediately terminate the employee who has not kept up a proper standard of work and on-the-job behavior. This happens when keeping the employee would probably mean danger to consumers or other staff members or a serious problem with the operation of the agency, or a violation of laws or governmental rules or regulations by which the agency is legally required to operate, or a serious violation of STIC's philosophy, values or code of ethics.

If the problem is not as bad as that, the agency gives the employee a chance to improve, but the agency pays close attention to how the employee is doing. The supervisor of the employee and the Executive Director work together to try to solve the problem.

If your supervisor thinks that you are not doing as good work as you should be or that there is some other problem with your work-related behavior, the first thing that will happen is that your supervisor will talk to you about the problem. If your supervisor considers the situation serious enough, he or she will issue an "oral warning" and suggest remedies for the situation. He/she will then make a written record of the talk and put it in your employee file.

If the problem or a similar problem happens again within a month, your supervisor will talk with you about it again. If possible, the Executive Director will talk with you about it at the same time. This time, you will get a written copy of the warning and another copy will be put in your employee file. This is a "written warning". The warning will also specify some possible remedies for the problem and/or expected outcomes from the employee.

If the problem happens again within two months, your supervisor will discuss the matter with the Executive Director. They may decide to tell you in writing that you may be dismissed from your job permanently if the difficulty happens again. This is a "second written warning." At this time, the remedies and outcomes will be restated in the memo so that the employee will have a clear understanding of what is expected.

If the problem happens again within a year, your supervisor will discuss the matter with the Executive Director. Together they may decide to dismiss you from your job, permanently. It should also be pointed out that one or more of the warnings described in the above paragraphs, whether an oral or written warning, may be skipped to speed up the process; this will happen only if the problem is particularly serious or if it appears that the employee is unwilling/uninterested in cooperating to correct the situation. Also, if you already have received two written warnings for any reasons, and it becomes necessary for you to receive an oral or written warning regarding something unrelated to the other warnings within a year, this may also be grounds for immediate dismissal. If the situation is resolved promptly and does not recur, your supervisor, in conjunction with the Executive Director, may remove any mention of the problem from your personnel file. This is left to their discretion and may be influenced by: length of your employment, level of your cooperation to remedy the situation, previous record of warnings, other extenuating circumstances contributing to the incident/behavior.

If you ever receive a warning, whether an oral warning or a written warning, you have the right to submit your comments/response in writing, on computer diskette or on tape within ten working days, for inclusion in your personnel folder. In such a response, you can explain or defend your behavior. At any time that you receive a written warning, you will be requested to sign the warning in acknowledgement that you have received it. When an employee signs such a warning, it does not mean that he or she agrees with what has been said in the warning. Written records of warnings will be withdrawn from the personnel folder of any employee when the employee presents clear and convincing evidence that the allegations made against him or her were inappropriate.

Sometimes when a problem happens with the work or on-the-job behavior of an employee, it takes time for the supervisor to find out what really happened, but the problem might be serious enough for the agency to suspend the employee. If this ever happens to you, one of two things will occur: if the agency determines that you are not at fault, you will be put back at your job and paid for the time lost as if you had worked those hours according to your regular work schedule; if the agency determines that you are in the wrong, you will be dismissed from your job permanently and you will not be paid for any time other than the time that you worked plus the applicable accrued benefits.

Sometimes when the supervisor notices a problem with the work performance of an employee, he or she may feel that the employee needs time to think about the difficulty away from job responsibilities. In such situations, the Executive Director, in consultation with the supervisor of the employee, may suspend the employee from his or her job without the employee losing pay. Such paid suspensions will in no event exceed five work days.

DISCIPLINARY GUIDELINES

When an employee fails to live up to standards of work expectations and of behavior on the job, the supervisor and/or the Executive Director must decide whether a warning is appropriate in an effort to restore the employee to proper performance or whether the situation warrants dismissal without notice.

Items that May Result in Progressive Warnings

Here is a list of the sorts of things that are cause for a warning on the first occasion and for progressive discipline on subsequent occasions. They are listed by category. This list is to provide a sampling of examples and is by no means comprehensive or complete.

Problems with Dependability and Reliability

Being absent more than the number of sick, vacation and personal leave days accrued without permission; stopping work before quitting time; leaving the job or leaving the agency headquarters during working hours without notification; taking time away from the job in addition to time allowed for meals and breaks; interfering with the work of other employees; using work time to do work other than work for the agency; numerous or long personal telephone conversations; not attending required in-service training or required meetings; habitual tardiness; returning late from lunch; failure to follow through on commitments.

Problems with Substandard Work Performance

Inability and/or unwillingness to do the job correctly; habitually submitting required paperwork late; unwillingness to follow recommendations to resolve problems; inaccurate paperwork, reports, etc.; incomplete statistical data collection/reporting; failure to meet major goals/objectives; failure to comply with major components of job description.

Problems with On-the-Job Behavior

Being discourteous to consumers or visitors; smoking anywhere other than places where the agency permits smoking; violation of STIC's policies as outlined in our employee manual/handbook; use of nicknames or familiarities toward consumers without their permission; harassment including verbal expression, inappropriate physical touching, and/or other actions; talking back to the supervisor or to others in authority at the agency; refusing to cooperate with the supervisor and other employees; carelessness that causes or might cause an accident or that might make the agency liable for damages; illegal manufacturing, distribution, dispensing, possession or use of controlled substances at the workplace as defined in our Drug Free Workplace Policy (see page 30); loafing on the job; treating co-workers, consumers, visitors, etc. in a disrespectful manner; sleeping on the job.

Repeated warnings for any combination of offenses is also cause for progressive discipline.

Items that May Result in Immediate Dismissal

Here is a list of the sorts of things that are cause for dismissal without advanced warning. Remember once again that this is a list of examples and cannot include every possible reason for an employee to lose his or her job permanently. This is also by category. Because of the seriousness of taking such a step, only the Executive Director can fire an employee. If the situation is urgent, the supervisor may send the employee home.

Problems that May Cause Danger to Consumers, Staff or Other Visitors

Fighting or other violent behavior on the job (whether at agency headquarters or elsewhere); working when under the influence of alcohol or illegal drugs; damaging the property of the agency intentionally; carelessness or doing something deliberately that causes injury or is likely to cause injury to someone; making threats against the agency or its consumers, staff members, Board of Directors, etc.; bringing firearms or other weapons onto the property of the agency.

Serious Problems with Work Behavior Affecting the Operation of the Agency

Stealing; falsifying documents for reimbursement such as travel sheets, time accrual forms, etc.; removal of property from the agency or from consumers without authorization;

misrepresenting the agency or its staff, consumers, etc., deliberately; walking off the job; refusing to do your job; being absent from your job for more than three consecutive work days without giving notification and/or getting approval; knowingly writing false information in the records of the agency or making false records; covering up mistakes or covering up faulty work; obstructing the work of the agency on purpose; using keys, equipment, or supplies belonging to the agency without permission; using confidential information gained by working with the agency without permission; making personal long distance calls and deliberately charging them to the agency; lying in your employment application/resume.

Serious Violation of Laws/Regulations and/or of STIC's Values, Ethics or Philosophy

Illegal manufacturing, distribution, dispensing, possession or use of controlled substances at the workplace as defined in our Drug Free Workplace Policy; threats to those in authority or colleagues or to consumers; taking a tip or personal payment for agency services from consumers; unethical, immoral or indecent behavior; intentionally violating the civil rights of a staff member or consumer; violating a consumer's confidentiality; physically, sexually or verbally harassing and/or abusing a consumer, staff person, or visitor to STIC; violating the confidentiality of another STIC employee (reading their personnel file without authorization, gaining unauthorized access to payroll information, etc.)

MISCELLANEOUS POLICIES

SOLICITATION AND DISTRIBUTION OR POSTING OF LITERATURE

The policy of Southern Tier Independence Center concerning solicitation and distribution or posting of literature at the agency headquarters is designed to prevent interference with service to consumers. Each of the restrictions is intended to help us accomplish our goal of providing the best possible service for our consumers.

People not employed by Southern Tier Independence Center may not solicit or distribute literature or post literature at the agency headquarters for any purpose at any time without the permission of the Executive Director. Any employee who is aware of a non-employee doing so is to report the matter to the Executive Director right away.

An employee may not solicit or distribute literature anywhere on STIC property without prior approval of the Executive Director. Under no circumstances will an employee post political campaign literature favoring a particular candidate. Employees may post material on the bulletin boards of the agency only in keeping with the concerns expressed in the above paragraphs. No other posting of material is permitted on the property of the agency.

The policy concerning solicitation, distribution, and posting applies unless a written waiver has been obtained from the Executive Director.

HIRING OF RELATIVES

Southern Tier Independence Center recognizes that in any workplace problems may occur in relationships between individuals. A particular example of this may occur when the people employed, in this case at Southern Tier Independence Center, are related to one another by ties of family, marriage, or affection. Southern Tier Independence Center does not assume that the development of personal relationships as described above among employees automatically causes difficulties, but it recognizes the potential for problems; therefore, it asks affected employees to have the same attitudes. Further, if a person is hired who has such a tie to another member of the staff, those affected will be advised to guard against allowing the relationship to interfere with the work of the agency. Out of concern for the civil rights of people who are employed at Southern Tier Independence Center or who may become employed at Southern Tier Independence Center, it should be noted that the decision to hire or not to hire an applicant for employment will not be made on the basis of factors such as marital status but upon the criteria of what is best for the agency and the qualifications of the applicant. Ordinarily, the hiring decision is made by the Executive Director. However, if such a decision presents a personal conflict or other conflict of interest, the Executive Director will consult with the Board of Directors before making a final decision.

DRUG FREE WORKPLACE POLICY

In accordance with state and federal laws and regulations, STIC is a drug free workplace. Employees may not illegally manufacture, distribute, dispense, possess or use controlled substances in the workplace. (In this case, workplace is defined as any location where the employee is conducting work including: consumers' homes, other organizations/agencies/businesses, etc. as well as STIC's premises.) Employees must report any criminal convictions for the illegal manufacturing, distribution, dispensing, possession or use of controlled substances within five days of the conviction. They must also notify the employer of the penalties for the conviction. Violation of this policy will result in either progressive disciplinary procedures or immediate dismissal, depending on the nature of the infringement.

CHANGES TO THESE POLICIES

This manual is published by Southern Tier Independence Center for the use of its employees. It is the property of the agency and is, therefore, subject to amendment and revision at the discretion of the Board of Directors of Southern Tier Independence Center. Your suggestions are welcome and should be submitted to the Executive Director of Southern Tier Independence Center. Amendments to this manual are ordinarily made upon recommendation of the Personnel Committee and must in any event be approved by the Board of Directors.

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BOARD OFFICERS POSITION DESCRIPTION

PRESIDENT OF THE BOARD

The board president is the volunteer leader in the organization. The president is not just a decision maker but also a person who must facilitate and manage the board as a responsible group. A primary task, therefore, is to lead and guide and to blend in proper proportion the more capable and vocal members of the board with the less experienced and less assertive members.

The interaction of personalities of the members is of critical significance and the goal of the president is to help diverse personalities merge into an effective organizational whole.

Most board presidents feel a desire to do something "extra, " for their agencies once they take office and often look toward developing their own distinctive style of leadership. While exercising leadership sensitivity is a plus, the desire to generate programs according to the president's own agenda can lead to a "disconnect" in agency direction.

Just any board member only has authority while acting with the whole board, so the president only has power as granted by the whole board. A few powers typical of a president are:

1) preside at board and executive committee meetings;

2) appoint standing and ad hoc committees in accordance with by-laws;

3) serve as ex-officio member of all committees and monitor their activities;

4) provide legal authorization by signature on behalf of agency where pertinent (i.e. contracts);

5) conduct activities or assignments as given by the board;

6) work with the executive director to develop meeting agendas; and

7) act temporarily on behalf of the board in emergencies if action must be taken before the board or executive committee can meet.

BOARD OFFICER POSITION DESCRIPTION

VICE PRESIDENT OF BOARD

Non-profits usually have more than one vice president (a 1st vice president, 2nd vice president, and in some organizations, a 3rd vice president), with each having responsibility in different major areas of the organization's functioning. Typically, a vice president shall perform the duties of the president in his/her absence and shall perform such other duties as may be assigned by the president or board of directors. Generally, a vice president assumes only duties assigned; however, organizations may have traditional leadership roles for vice presidents, such as chairperson of a particular committee.

Orderly transition of officers provides the consistency necessary for long-term viability and credibility of the organization. Planning for this transition is critically dependent upon the proper preparation and role clarification of a vice president.

A vice president should assume responsibilities and duties that facilitate gaining broad substantial knowledge of the organization, such as being a member of the executive committee, and involved in personnel and financial matters. The key is to have the vice president sufficiently knowledgeable of agency affairs so that he/she is prepared when the president's duties are assumed.

Specific duties of a vice president may include:

1) carry out the responsibilities of the president in the absence of the president or if the president is unable to serve;

2) be a member of the executive committee and other committees as appointed;

3) chair at least one standing committee;

4) serve as a close advisor to the president;

5) conduct assignments delegated from the president; and

6) assume the office of president at the conclusion of the president's term.

BOARD OFFICER POSITION DESCRIPTION

TREASURER OF THE BOARD

The treasurer's primary role is to be the "point" person, representing the board to monitor and advise on the organization's financial matters. The treasurer functions within the policy-making context of the board and care needs to be taken that the position does not unduly assume administrative roles.

Agencies vary as to the extent that the treasurer functions, largely due to the availability of appropriate staff. Some treasurers, for example, are actually involved in day-to-day cash management and check signing. Other treasurers monitor activities on a broad level.

Primary responsibilities of the treasurer include:

1) ensure that a sound system of internal control is operating, including accurate financial records, preparation and effective use of operating budget, effective cash management practices, compliance with any and all financial reporting requirements and compliance with contract requirements and funding agreements;

2) serve on the executive committee and finance committees;

3) anticipate financial problems and difficulties;

4) assist executive director in providing timely and accurate management information;

5) assist in the selection of an auditor, monitor auditing activities and interpret auditor report to the board;

6) effectively communicate the organization's financial affairs to other board members;

7) maintain liaison with revenue generating activities, i.e. , fund raising and grants, efforts to ensure complete understanding of unique donor designated restrictions features of prospective contracts, other funding agreements and capital fund drives; and

8) maintain sufficient knowledge of the laws pertaining to non-profits.

BOARD OFFICER POSITION DESCRIPTION

SECRETARY OF THE BOARD

The secretary is responsible for ensuring that adequate records of the corporation are developed and maintained in compliance with legal requirements. Minutes, for example, are a traditional responsibility of the secretary. When an organization does not have paid staff, it is appropriate for the board secretary to keep minutes and send out notices for meetings. But most larger non-profits with professional staff are beginning to use board secretaries differently.

A growing number of boards ask paid staff to record minutes and do the "legwork" for the organization. The board secretary becomes more of a monitor -- someone to make sure the board secretary's responsibilities are carried out by paid staff or volunteers.

Duties of a secretary include:

1) act as custodian of and assure the safety of all legal and other official papers (including minutes) of the organization;

2) sign legal and other papers where appropriate in witness of official board actions;

3) record all actions of board meetings in the minutes and distribute them to board members, the administrator and others as approved by the board;

4) transfer all official agency documents to successor; and

5) serve on the executive committee and other committees as appointed.

BOARD COMMITTEE CHAIR DESCRIPTION

THE CHAIRPERSON OF A BOARD COMMITTEE

By-laws define committee functions and how chairpersons are selected or appointed, but rarely describe the role of the chair. Generally, committee chair people are appointed by the board president and serve on the agency board leadership team.

Responsibilities and duties of a chairperson of any committee, standing or ad hoc, generally include the following:

1) The chairperson is responsible for managing the committee's group process and ensuring that effort is made either to achieve consensus or, when differences exist, to handle conflict appropriately.

2) Call meetings, set the agenda, stimulate discussion and record decisions and recommendations.

3) The chairperson must know clearly what the committee is charged with and needs to regularly remind members of stated objectives. For committees that report to the board, power to take action must come from the full board. Otherwise, the role is advisory only.

4) The chairperson needs to be sure that committee members support decisions before they are reported to the administrator or board. The chairperson should remind members of their obligation to support majority decisions both within the committee and at the board level.

5) The committee's membership is generally appointed by the president of the board; however, this should be done in consultation with the chairperson. Some organizations allow chair people to appoint their own committee members.

6) Report to the board the progress and problems related to the committees work, including recommendations for new or updated policies.

7) Establish and maintain working communication and relationship with other committee chairpersons.

8) Consult with staff on committee work.

BOARD COMMITTEE DESCRIPTION

THE EXECUTIVE COMMITTEE

The executive committee is the most powerful committee of the board and for this reason its composition and role must be carefully considered.

Not all non-profit boards use an executive committee. Those that do, use it in a variety of ways including for emergencies only, convenience (during times where the board does not meet) , and, in some organizations, to conduct regular business.

Executive committees are usually comprised of, at least, the officers of the board. Committee chairpersons, "at large" members of the board and past presidents or ex-officios are options to be considered for expanding the executive committee. An executive committee should have the representative power reflected in its membership to take the actions necessary. It also, however, needs to be efficient. Its size, therefore, should be manageable in terms of quickly mobilizing meetings and making decisions.

Executive committees exercise whatever power the full board gives them. Like all committees, the executive committee derives authority from the full board and is accountable to the full board. The executive committee is usually granted the power, by board action or in the by-laws, to act on behalf of the board, either generally or in specific circumstances.

An advantage of a regularly used executive committee is that board meetings can be freed of routine business, thereby allowing time to deal with major issues -- long-range planning, policies and new funding. When the full board meets less often, an executive committee can be more active and maximize the effectiveness of board meetings.

A major disadvantage, however, is that the full board is ultimately liable for all actions taken by the executive committee, whether or not it is aware of its actions. A board must always know what its executive committee is doing and efforts should be made to ensure that the board's power is not unduly usurped by a strong executive committee. Since the committee is generally small in size, it can make the organization appear less participatory and democratic, causing alienation of board members.

BOARD COMMITTEE DESCRIPTION

THE BOARD NOMINATING COMMITTEE

A knowledgeable, active and responsive board of directors in the "heart" of the non-profit agency and is necessary for program success and organizational health. It needs to be established and maintained in a careful and deliberate manner, through collaborative efforts of the board of directors and the executive director. The nominating committee is the vehicle that determines the future of the agency. The people it selects and recruits for the board will influence every key decision the organization makes in the years ahead.

It is generally not a good idea either to have officers or people who may be subject to nomination on the nominating committee. Input from the volunteer leadership should be sought. Efforts need to be made, however, to ensure that the process is objective and that the organization, or its volunteer leader, are not "stacking" the board.

Responsibilities of the nominating committee include:

1) analysis of current board membership;

2) identification of potential members in accordance with organizational needs;

3) recruitment of selected potential members;

4) consultation with the executive director in all activities;

5) propose nominations slate of officers and board members to the board of directors membership for acceptance; and

6) closely adhere to by-laws in committee activities and terms of office.

THE FINANCE COMMITTEE OF THE BOARD

One of the major responsibilities of a non-profit board is to ensure the financial stability and integrity of the organization. To handle the non-fundraising aspect of that important responsibility, most boards have a finance committee.

Some boards combine financial affairs with personnel matters into a single committee (personnel and finance committee) because personnel costs generally comprise the largest single area of expenditure. There is a need, for example, to coordinate the setting of salaries with hiring and evaluation practices. Another option is to leave finance functions to the executive committee given the importance of the responsibilities and the need for board-level decisions (beyond recommendations) to be made. The decision as to which committee may handle financial matters may ultimately be determined by the number of volunteers available to serve, the complexity of the organization's financial affairs, the skills and knowledge of the treasurer and executive director and the extent to which effective inter-committee communications can be established.

The finance committee works as a team with the executive director and pertinent others (bookkeeper, accountant, auditor, bankers, etc.). The committee provides and/or coordinates the expertise needed to assure the full board that the organization is financially sound and properly managed.

The finance committee is generally chaired by the treasurer and should include board members with financial expertise, as well as others. Ideally, all board members should have an opportunity to serve on the committee sometime during the course of their term(s) in order for everyone to get a working understanding of the agency's financial structure and related issues. Too often the average board member is not sufficiently educated as to the agency's financial affairs. Lack of knowledge can create serious problems when policies and/or budget are being established.

Specifically, the finance committee works with the executive director to :

1) develop a budgeting process;

2) make and regularly update long-range financial plan for the organization;

3) develop an annual budget for presentation and consideration for approval to the full board;

4) personally and actively support the budget to funding sources, including providing needed figures and lobbying for funding approval;

5) monitor and keep the full board regularly informed of the general financial status of the organization;

6) arrange and oversee an annual financial audit by an outside accounting firm; and

7) serve as a problem-solving resource to the agency's administration regarding financial matters.

THE COMMUNITY FUND-RAISING COMMITTEE OF THE BOARD

Raising money is a concern for all non-profit agencies. Many agencies, such as Centers for Independent Living, are traditionally dependent almost entirely on single source government funds. As these funds become more limited and the service plans of agencies become more progressive or ambitious, there is a need and desire to secure funding from a diversity of sources.

Achieving and maintaining the fiscal integrity of the nonprofit organization is the responsibility of the board of directors. The board, therefore, must ensure that the agency has adequate resources to carry out its mission.

The extent to which a board assumes an "active" role in raising dollars varies. All board members are, obviously, obligated to support fund-raising efforts and give their time. Given the character and economic status of most consumer-controlled boards, reliance on a significant level of direct financial contribution from each and every board member may not be realistic or necessarily desired. It is always desirable and adds credibility, however, for an organization to say that 100 percent of the board has made a contribution no matter how small an individual gift might be.

Some agencies, however, leave the planning and implementation of fund raising to staff with board oversight. Smaller organizations may not be able to afford having staff time directed at fund raising and consequently away from the delivery of program services and attention of other administrative concerns. In these circumstances, the board's role is even more critical to successful fund raising.

A fund raising committee provides board level focused attention on revenue generating activities, particularly non-grant activities or those reliant on detailed program development. Fund-raising committee members are generally those who have a particular interest, skill, or connections pertinent to fund-raising activities. Committee members also need to have sufficient time to devote, beyond the time spent on board and committee meetings.

Specific responsibilities include:

1) planning fund-raising activities in accordance with their appropriateness and cost-benefit;

2) mobilizing and coordinating volunteers necessary to carry out planned activities;

3) identifying and overseeing the role of staff in fund raising;

4) developing and recommending to the board an annual plan for fund raising;

5) preparing and coordinating related publicity and public relations material and/or activities; and

6) asking for funds from individuals, corporations and foundations.

THE PUBLIC POLICY (ADVOCACY) COMMITTEE OF THE BOARD

Consumer-controlled agencies, such as CILs, have a special interest in monitoring and being involved in public policy issues such as legislation and regulations affecting accessibility issues, affirmative action and program funding.

Due to the complexities of the policy process and the need for consumers and advocates to quickly mobilize citizen support in response to government initiatives, a public policy or government relations committee is appropriate.

All non-profits need to be particularly aware of and sensitive to their legal limitations in regard to lobbying activities. These limitations are continually changed and legal or auditor consultation should be sought. Additionally, agencies need to be fully aware of limitations that specific funding sources may place on them regarding their involvement in such activities (e.g., federal grant funds may not be used for direct lobbying under any circumstances).

Primary functions of a public policy committee are:

1) monitor federal, state and local government policy activities and regularly update the board;

2) establish priorities among areas of policy concern on an annual basis;

3) develop position papers on subjects of priority interest;

4) develop strategies and action plans for select legislative areas;

5) serve as a catalyst for mobilizing board and community support

6) make recommendations to the board for action; and

7) communicate the agency's positions to appropriate elected and appointed officials.

THE PROGRAM COMMITTEE OF THE BOARD

The program committee has the primary responsibility for the overall programming of the agency. Included in this authority is the responsibility for planning, development, monitoring and evaluation of all programs and services.

Principal responsibilities include:

1) meet monthly as required;
2) submit accurate meeting minutes in a timely fashion to members and to official files in the agency's office;
3) submit strategic and long-term goals and objectives on an annual basis;
4) evaluate performance of the program committee based upon goals and objectives;
5) work with staff on completion of goals and objectives, projecting budgetary needs and monitoring program committee related expenses;
6) supervise the actions of any sub-committee or task force formed and reporting to the program committee;
7) evaluate all programs and services provided by staff of the agency as well as services provided by volunteers;
8) work with the executive director to develop program budget recommendations and submit for review by the finance committee. Appraise, jointly with the finance committee, those increases and decreases which involve financing for suitable recommendation to the board of directors;
9) support and enhance existing programs of the agency by bringing to them new resources and ideas;
10) evaluate and recommend new programs to the board of directors to fulfill the purpose, goals and objectives of the agency;
11) describe and present programs and services to the board of directors to promote awareness and understanding;
12) submit proposed changes to approved program goals and objectives as needed; and

13) examine positions on legislative matters and make recommendations to the board of directors.

Assessment and Training Instruments

RATING YOUR BOARD OF DIRECTORS

On a scale of 1 to 10 (with 10 being the highest), rate your board's general functioning in the space provided on each of these issues. Those items receiving low scores (3 or below) need rapid attention; those items scoring from 4 to 7 need improvement and a plan of action should be built into the organization's work plans; those scoring from 8 to 10 require periodic monitoring.

1. The board's by-laws are clear and current. ________

2 Board members are familiar with the by-laws. ________

3. Committees meet regularly and report back to the board. ________

4. Generally, at least 80% of the board members attend board meetings. ________

5. A quorum to conduct business is always present. ________

6. Each board member serves on at least one committee. ________

7. The board's composition is diverse in regard to type of disability, ethnicity, gender and age. ________

8. The board's composition reflects an adequate range of talents, skills, experience and knowledge. ________

9. Procedures for board recruitment are clear and reflect a broad understanding of board roles and needs. ________

10. Board members are fully informed about the organization and what is expected of them prior to being offered a board position. ________

11. New board members receive a manual and thorough orientation to the organization and their roles in it. ________

12. Training regarding board roles, services offered, etc. is an integral part of board operations. ________

13. Rules regarding board member terms of office are clear. ________

14. The board plays a role in the development of long and short term plans. __________

15. Board meetings are well planned - agendas and supporting materials are available before the meetings, where feasible, and minutes are available shortly thereafter. __________

16. Staff participate appropriately at board and committee meetings. __________

17. Procedures for board and committee operations are clear. __________

18. The board's decision-making process is explicit and rational. __________

19 Existing decision making procedures are followed consistently.__________

20. Decision making includes all persons required by by-laws, policies and procedures. __________

21. The board develops the budget and reviews the fiscal performance and status of the organization. __________

22. The board evaluates the program services of the agency on a systematic and regular basis __________

23. The board has formal procedures for evaluation of the performance of the executive director. __________

24. In general, relationships between board members and staff are characterized by trust and good faith. __________

25. Communication among board, staff and consumers is clear and effective. __________

26. All information necessary for effective policy making is made available to the board. __________

27. Board deliberations are characterized by full board participation and with respect for divergent opinions. __________

28. In general, board members work harmoniously to achieve their collective goals. __________

29. Board members generate financial support for the agency according to their individual means. __________

30. Board members are active in securing external funding. ________

RATING YOURSELF AS A BOARD MEMBER

Circle all items which you believe require more attention from you as a board member.

THE ORGANIZATION

I UNDERSTAND:

1. The mission of the organization.

2. The organization's structure.

3 . The by-laws of the organization.

4. The policies and procedures of the organization.

5. The goals of the organization.

6. How the organization's decisions are made.

THE LEGAL RESPONSIBILITIES OF A BOARD MEMBER

I KNOW:

1. The role of the board.

2. My legal responsibilities.

3. Whether I am insured.

4. My potential liabilities as a board member.

5. How much lobbying and advocacy activity I can undertake in the name of the agency.

THE BOARD

I KNOW:

1. The members of the board.
2. What each person's position on the board is.
3. Each board member's skills.
4. Each board member's position in the community.
5. Each person's role in the fulfillment of the purposes of the organization.
6. My responsibilities.
7. What commitments of my time and money are expected.

FINANCES

I KNOW:

1 . The current budget for the organization.

2. Who develops, approves and administers the budget.
3. If the organization keeps within its budget.
4. How to read a balance sheet and financial statement.
5. What the main revenue sources are.
6. Who audits the organization.
7. What additional revenue sources are possible.

FUNDRAISING

I KNOW:

1. How much I am expected to contribute.
2. What role I am to play in fundraising activities.
4. How to solicit money for the organization.

THE STAFF

I KNOW:

1. The personnel policies and procedures.
2. The table of organization of the agency.
3. Key staff leadership.
4. The job descriptions for staff members.
5. How the executive director intends to accomplish the goals of the organization this year.
6. The executive director's strengths and weaknesses.
7. How the executive director's performance and salary are evaluated.

MANAGEMENT AUDIT CHECK LIST

This is a handy checklist boards can use to assess their compliance with basic management rules. It can also be used with dates or a calendar for review, renewal or recertification purposes. For each one, check whether your organization has it, whether the document is accessible (readily available to you?), and whether it is up-to-date.

Written documents that ALL not-for-profit organizations must have:

Have It?	Is it Accessible?	Is it Up-dated?	
______	______	______	Articles of Incorporation By-Laws
______	______	______	Letter from IRS regarding tax exempt status [usually ***501(c)(3)]***
______	______	______	Annual registration from state in which incorporated
______	______	______	Certificate of Good Standing from state in which incorporated
______	______	______	Completed 990 tax forms for maintenance of IRS tax exemption
______	______	______	Annual independent audit completed by and independent public accountant or certified public accountant
______	______	______	Annual report (usually narrative with highlights of previous year plus copy of audited financial statement)
______	______	______	Meeting minutes from all official and duly called meetings of the board of directors
______	______	______	Payroll and tax records consistent with local, state and federal laws and requirements
______	______	______	Fiscal management system which leaves a "clean" audit trail of all income and expenses

______ ______ ______ Solicitation permits from government units within the organization's service area that are required to engage in fundraising

______ ______ ______ A list of items which are required by local, state or federal grants and contracts for compliance purposes

______ ______ ______ Statement of mission, service area and goals

______ ______ ______ Short and long range plans for each fiscal year

______ ______ ______ Commission statements for each board committee and subcommittees

______ ______ ______ Organizational chart of board, committees, and subgroups

______ ______ ______ Roster of board of directors
Organizational chart of staff

______ ______ ______ Job descriptions for all staff, board members and key volunteers

______ ______ ______ Performance appraisal forms and procedures

______ ______ ______ Personnel policies

______ ______ ______ Descriptions of services offered, eligibility for services costs of services (if appropriate) and methods of payment (if appropriate)

______ ______ ______ Evaluation system used to assess organization's success in achievement of goals and objectives

______ ______ ______ Program evaluation system which determines if services provided contributed to consumer's desired outcomes

______ ______ ______ Agreements and/or contracts with other organizations and agencies

______ ______ ______ Written statements of positions taken on public or legislative issues

______ ______ ______ Written office procedures

______ ______ ______ Written descriptions or procedures for the provision of services, including instructions for completion of forms used

______ ______ ______ Policies and procedures for recruitment of board members

______ ______ ______ Internal management audit system covering annual review of all policies and procedures

______ ______ ______ Planned mechanisms for providing in-service training and other types of educational benefits for employees and volunteers

______ ______ ______ Strategic long range plan

Policies governing the following activities:

______ ______ ______ delivery of service to consumers

______ ______ ______ delivery of service to the public

______ ______ ______ public relations and media relations fundraising

______ ______ ______ marketing

______ ______ ______ equal employment opportunity and affirmative action

______ ______ ______ ethics for staff and volunteers

______ ______ ______ organizational planning

______ ______ ______ budgeting and budget revisions

APPENDIX F

NATIONAL COUNCIL ON INDEPENDENT LIVING
FISCAL POLICIES AND PROCDURES
APPROVED BY THE FINANCE COMMITTEE JULY 25, 2001

POLICIES

I. General

A. The Board of Directors formulates financial policies, delegates the administration of the financial policies to the Executive Director and administrative staff, and reviews operations and activities. These fiscal policies will be reviewed bi-annually by the NCIL finance committee and submitted to the full Governing Board for review and approval.

B. The Executive Director has responsibility for all operations and activities, including financial management.

C. The Staff Accountant is responsible to the Executive Director for all financial operations.

D. Financial duties and responsibilities must be separated so that no one employee has sole control over cash receipts, disbursements, payroll, reconciliation of bank accounts and other financial transactions.

E. In no event will checks be:

1. prepared from monthly statements (without review of supporting documentation.)
2. prepared in other than chronological order.
3. signed in advance
4. be made payable to "cash", "bearer", or similar payee
5. prepared on verbal authorization.

F. All out-of-town travel must be approved in advance by supervisor.

G. All forms will be completed in ink.

H. Purchasing

1. Purchases of $2,500 or less may be made at the discretion of the Executive Director without competitive quotes.

2. The Executive Director must authorize, in advance, all purchases over $500. All purchases for items or services exceeding $2,500 will require at least three written vendor quotations before authorization may be granted.

Exceptions to this rule must be approved in writing by the Finance Committee.

3. No personal purchases will be made for employees, their relatives or friends.

I. The Staff Accountant will be responsible to see that each employee receives his/her payroll check/stub.

J. Financial operations will be in compliance with the regulations set forth in 45 CFR 74, 10 CFR 600, 10 CFR 440, OMB Circulars A-110, A-122 and A-133, and other applications as required.

K. NCIL's fiscal year is January 1 – December 31. An organizational budget shall be presented to the Governing Board at the fall meeting and adopted by the Governing Board prior to the beginning of the fiscal year.

L. An independent audit of the organization shall be completed within 90 days of the end of the fiscal year.

M. The Executive Director has the authority to move funds between line items up to 10% of the line item. Any modification to the budget above the 10% limit must be submitted to the Finance Committee for review and approval and then to the Governing Board (or Executive Committee in absence of the Board) for approval.

N. Original contracts, leases and subcontracts will be kept on file in the Accountant's office. The Executive Director or his/her delegate will keep a copy of all contracts and subcontracts.

O. The Executive Director will review all check requests and approve payment of same.

PROCEDURES

II. PETTY CASH

A. The following petty cash funds will be maintained on an impressed basis by the agency:

1. amount:	$200.00
2. location:	1916 Wilson Blvd., Suite 209
3. custodian:	Staff Accountant

B. The Staff Accountant will obtain a signed receipt for each withdrawal from the funds.

C. All petty cash funds will be kept in the safe. Access to petty cash funds will be limited to the:

1. Executive Director
2. Staff Accountant

D. Amounts greater than $40.00 must be paid by check.

E. The purchaser shall present a receipt approved by the Executive Director for payment from petty cash. If a purchase receipt is not available, the purchase must be identified on a petty cash slip.

F. The Staff Accountant shall insure that all receipts and/or petty cash slips are properly completed, signed and approved before payment is made.

G. At all times the petty cash box shall contain receipts and cash totaling the amount of the petty cash fund.

H. When expenditures from petty cash fund reach $160.00, the Staff Accountant will reimburse the petty cash funds for the authorized petty cash receipts.

I. All reimbursement checks shall be made payable to: Bank of America – Petty Cash.

J. Any irregularities in the petty cash fund will be immediately reported in writing to the Executive Director.

K. Loans and payments for personal items will not be made from petty cash.

L. Advanced petty cash funds may be given to the purchaser with an approved petty cash slip. A receipt(s) for the purchase made with advance funds is due to the Staff Accountant within 2-days of the advance. If a receipt is not received by the time the petty cash fund is next reconciled; the purchaser may be held liable for the advanced funds. If not paid, the responsible employee may have the advanced amount withheld from his or her next paycheck.

M. The petty cash fund will be reconciled once a month.

III. INCOMING FUNDS

A. Mail Receipts

1. The Secretary/Receptionist shall immediately stamp all checks with "For Deposit Only, National Council on Independent Living and the operating account number."
2. The Secretary/Receptionist shall copy the checks and forward the original checks, any documentation or remittance advises and the copies of the check immediately to the Staff Accountant.
3. Copies of documentation accompanying receipts (NCIL invoices, training registrations, membership forms) shall be given to the appropriate project staff. The copy shall include the check number, amount, date received and name of organization issuing check if different than purchasers name.
4. The Staff Accountant will complete a deposit slip and run an adding machine tape daily. The photocopy of the checks, any documentation or remittance advises will be attached to the duplicate deposit slip and filed by month.
5. The Executive Assistant will deposit all receipts intact at least once a week.

B. Direct Receipts

1. Anyone making a payment in cash must receive a receipt with the date, amount received, the name of the individual paying in cash and the item/service being paid.
2. All cash received must have a copy of the receipt attached. The receipt must include name of the individual giving the cash, the date received and the description of the payment.
3. Cash received in the NCIL office will be forwarded to the Staff Accountant immediately.

C. Donations of Stock

1. DONATIONS OF STOCK WILL BE IMMEDIATELY FORWARDED TO NCIL'S ACCOUNT WITH SOLOMON-SMITH-BARNEY WITH INSTRUCTION TO SELL THE STOCK UPON RECEIPT. FUNDS OBTAINED FROM THE SALE OF THE STOCK WILL BE DEPOSITED INTO THE NCIL OPERATING ACCOUNT WITHIN 7 BUSINESS DAYS.

D. The Staff Accountant will record all cash receipts by general ledger journal entries.

E. All check and cash receipts shall be kept in the safe until deposited. Deposits shall be made at least once a week.

IV. DISBURSEMENTS

A. Check authorization:

1. General operating invoices will be immediately forwarded to the Staff Accountant.
2. Project specific invoices shall be immediately forwarded to the appropriate project staff.
3. The appropriate project staff will approve for payment invoices related to the specific project. Approval will be in writing by initialing the invoice.
4. The approved invoice will be forwarded to the Staff Accountant for payment.
5. All invoices will be paid by computer-generated checks.
6. In emergencies, invoices may be paid by manual check with prior approval from the Executive Director.
7. No check shall be written and signed by the same person.

B. Checks

1. The Staff Accountant will be responsible for all blank checks, which will be kept in the locked safe.
2. The Staff Accountant will record all invoices, according to costs allocations in the general ledger. Checks will be produced through the information recorded in the general ledger.
3. The Executive Director will review all check requests and backup documentation and sign all checks. Any checks, other than monthly office rent, over $2,500 must have two authorized signatures. The second signatory will be provided with a copy of the back-up documentation for review.
4. Checks made out to the Executive Director under $500 must have pre-approval by the president, vice president or treasurer of the board prior to being written.
5. An authorized signatory other than the Executive Director must sign checks made out to the Executive Director over $500.
6. The computer-generated check-stub, showing check number, vendor name and amount, must be attached to the check request and back-up documentation.
7. In the case where the documentation is not attached to the copy, source documentation must be available elsewhere.
8. Voided checks will have "VOID" stamped in ink across the face of the check and attached to the check-stub, which will also be marked voided. If another

check is issued to pay the invoice, the documentation will be transferred from the void check to the second check's check-stub.

C. Bank Reconciliation

1. Bank statements will be forwarded, unopened to the Executive Director.
2. Cancelled checks will be examined for date, name, cancellation and endorsement. The monthly bank statements will be reviewed. Review will be indicated in writing by initialing the first page of the statement.
3. The Staff Accountant will prepare the bank reconciliation.
4. The Executive Director will review the bank reconciliation monthly.
5. The reconciled bank balance will be compared to the general ledger cash account and adjustments will be made to the general ledger as needed by the Staff Accountant.
6. The Staff Accountant will provide the Executive Director with a copy of bank reconciliation report and balance sheet for his/her review.
7. The Staff Accountant will follow-up on any outstanding checks after 90-days from issue and will void outstanding checks if appropriate.
8. Cancelled checks will be filed in numerical order by month.

V. ACCOUNTS RECEIVABLE

A. Invoicing

1. Project specific invoices will be developed by project staff as follows:
    - IL NET invoices – IL NET Logistics Coordinator
    - Membership/Donations invoices – Membership Services Coordinator
    - General Reimbursement invoices – Staff Accountant

2. Each invoice shall be numbered in sequential order.

3. Prior to developing the invoice, staff shall obtain an invoice number from the "invoice number" list in the Staff Accountant's office. Staff shall cross out the number(s) to be used in order to prevent duplicate invoices.

4. A copy of the invoice shall be given to the Staff Accountant.

5. The Staff Accountant shall input the invoices into the general ledger – accounts receivable monthly.

6. Project staff shall review their project specific invoices on a monthly basis.

7. Project staff shall send "Second Request" invoices for any outstanding invoices over thirty (30) days. Project staff shall notify the Staff Accountant of second requests for payment.

8. Project staff shall contact the bookkeeper or Staff Accountant of the organization(s) with an outstanding invoice of over sixty (60) days, to ascertain the receipt of payment.

9. The Staff Accountant shall provide a list of outstanding accounts receivable for the Executive Director's review on a quarterly basis or as requested.

10. The Executive Director will review all proposed debt to be written-off with the independent auditor at the end of each fiscal year.

VI. PURCHASING

A. Purchases

1. All requests for supplies must be made through the Executive Assistant. Project staff may request project specific purchases within the budget line item of their grant.

2. The Executive Assistant will review supply requests with the Staff Accountant to insure expenditures are within the budget line item.

3. Purchases over $500 must be pre-approved by the Executive Director.

4. If goods or services are purchased from a relative of the purchase approver, it must be shown in writing that the price is at or below the prevailing market rate for the goods or services.

5. Only goods and services necessary for the continuing or completion of NCIL's goals and mission may be purchased. All purchase decisions are subject to the review of the Executive Director.

B. Contracts and Leases

1. Consideration will be given to in-house capabilities before contracting.

2. If the total cost of leasing equipment, over three-years or the expected life span period, is greater than the purchase price, the equipment should be purchased.

3. Written contracts clearly defining the work/service to be performed will be obtained for all consultant and contractual services.
4. The qualifications of the consultant and reasonableness of fees will be considered in awarding contracts.
5. Consultant and contractual services will be paid as stipulated in the contract.
6. Contract compliance monitoring procedures and specifications will be stipulated within the contract. Final payment of all contracts will be withheld until all contractual obligations are met.
7. All leases and contracts must be approved and signed by the Executive Director.

VII. INVENTORY AND PROPERTY

A. To perpetuate the property control process, the following is the responsibility of the Staff Accountant.

   1. The Staff Accountant maintains a master file of all property and assets at NCIL main office.

B. To insure that the inventory of property and assets is maintained for insurance and grant (funding sources) purposes.

   1. The requirement for maintaining property and asset records applies to all property costing $ 500.00 per unit or having a life use of more than three (3) years. A copy of all invoices for purchase of property and assets are kept by the Staff Accountant.

VIII. PAYROLL

A. New Employees

The Staff Accountant will be responsible for:

a. Preparing an Employee Payroll Information form
b. Obtaining a completed W-4 for new employees.
c. Providing new employee with health insurance and other benefit forms, explaining benefits to new employees and answering employee questions about benefits.
d. Establishing a personnel file for each new employee. The employee payroll information form, W-4, I-9 and all original deduction authorizations will be kept in the personnel file. Other program

specific items may be included but will be determined by the appropriate program.

B. Employee Payroll Information

1. The Staff Accountant will prepare an Employee Payroll Information form on all employees upon a change of status affecting the employee's:
    a. pay rate
    b. name, home address/telephone number
    c. department
    d. voluntary withholdings
    e. starting or termination dates

2. A copy of the approved form will be placed in the employees personnel file. The approved form will be the substantiation for all payroll changes.

C. Time Sheets

1. Completed time sheets will be submitted to the employee's supervisor for review and approval. Approved (initialed) time sheets will be submitted to the Staff Accountant.

2. Incomplete or inaccurate time sheets will be returned to the supervisor.

3. The Staff Accountant will be advised by the Executive Director when any employee is on leave without pay (LWOP) status.

4. The Staff Accountant will keep sick, vacation and personal leave usage on all employees.

5. The Staff Accountant will provide each staff member information about their available sick, vacation and personal time on the 15th of every month. The Executive Director will receive a copy of all staff's leave information.

6. Approved time sheets will be kept on file after time entry is completed.

D. Payroll Checks

1. Payroll checks will be produced and distributed to employees twice a month. NCIL employees will receive paychecks or pay-stubs from the Staff Accountant. Direct deposit of pay will be offered to all persons receiving a paycheck from NCIL.

2. Payroll checks will be processed according to written payroll procedures and the operating procedures of the outsourcing payroll firm, if any.

IX. INSURANCE

A. All insurance policies will be maintained by the Staff Accountant.

B. Reasonable, adequate coverage will be maintained for property, general liability, worker's compensation, unemployment, and directors and officers liability.

C. Insurance policies will be reviewed annually before renewal. Bids may be sought from other vendors at the discretion of the Executive Director. Increased coverage or higher limits must be approved by the Executive Director unless required by legislation.

X. BOOKS OF ORIGINAL ENTRY

A. The agency will utilize a double entry accrual system for accounting of all funds.

B. All disbursements are coded directly to the expense accounts on the general ledger. All cash deposits are recorded by journal entry in the general ledger.

C. The Staff Accountant will prepare all journal entries to the general ledger and will maintain sufficient documentation to support the journal entries.

D. After the end of each month, the Staff Accountant will input general ledger entries into the accounting system and run the interface program for payroll, accounts payable and accounts receivable. After the information has been processed, the balance sheet, trial balance, general ledger journals, revenue and expense statements will be printed and presented to the Executive Director by the fifteenth of every month. The finance committee of the Governing Board will receive a copy of the balance sheet and income and expense reports on a monthly basis. The full Governing Board will receive financial statements on a quarterly basis.

E. The finance committee of the Governing Board will meet at least quarterly to review and approve finance statements.

F. Expense accounts in the general ledger will correspond as closely as possible to the budget line items.

G. The Chart of Accounts will be maintained in the General Ledger on the Balance Sheet and Revenue and Expense sections.

H. Capital assets are defined to be equipment, furniture, fixtures, and improvements owned by the agency with an acquisition cost of over $500 per item or having a life use of over three (3) years.

XI. GRANTS AND CONTRACTS

A. Preparation

1. All grant budgets will be prepared by the Staff Accountant, Executive Director and the appropriate project staff.

B. Receipt

1. Originals of all grant awards and contracts will be immediately forwarded to the Finance Office and filed.
2. The Staff Accountant will enter a budget in the general ledger for each award officially granted to the agency.
3. The Staff Accountant will carefully review each award to insure that all financial provisions are correct and in compliance with applicable regulations.
4. The Executive Director will carefully review each award to insure that all programmatic provisions will be fulfilled.

C. Revisions

1. If a budget revision is necessary during the grant period the Staff Accountant and Executive Director will prepare a revision and submit it to the funders for approval.

D. Reports to funding sources:

1. The Staff Accountant will prepare financial reports to funding sources as required by the terms of the grant award or contract.
2. The Executive Director will review and approve all reports to funding sources.
3. The Executive Director will sign all reports to funding sources.

XII. OTHER

A. Travel Reimbursement

1. Staff shall be reimbursed for costs associated with approved travel upon receipt of travel reimbursement request forms and receipts for costs.

2. Approved costs associated with travel include: meals, mileage, parking, tolls, airline/train tickets and/or hotel sleeping room.

3. Approved reimbursement requests received by the Staff Accountant shall be paid within five (5) workdays. This schedule may vary occasionally due to holidays, bad weather, etc.

4. Meal per diem and mileage reimbursement rates are set by the Board of Directors. Rates are in effect until such time as a change in rates is made.

5. Travel advances – Occasionally an employee may request a travel advance check when out-of town travel is planned. The employee will compute the per diem allowance, any transportation costs such as parking fees, shuttle bus, taxi fares, etc. and submit it in memo form, along with her or his departure and return date and destination to the Executive Director for approval. A travel advance check will be ready for the employee at least the day prior to departure unless adequate notice has not been given to the Staff Accountant.

C. Corporate Credit Card

1. Corporate credit cards shall be issued to the Executive Director, IL NET Logistic Coordinator and IL NET Training Specialist. Other corporate credit cards shall be issued as necessary by the Executive Director.

2. When travel is required the corporate credit cards may be used to purchase airline/train tickets, cover hotel sleeping room costs, incidentals (within approved reimbursement rates). Use of the corporate credit card for costs not related to travel, must be pre-approved by the Executive Director.

3. All corporate credit card receipts must be given to the Staff Accountant within 2 days of use or return from travel. All receipts must have the program to which the cost is to be allocated.

4. Staff may be asked to reimburse the agency if they are unable to produce a receipt for a purchase made with the corporate credit card.

5. Under NO circumstances shall the NCIL corporate credit card be used for purchasing personal items.
6. If the corporate card is lost or stolen, the employee must contact the credit card company immediately and inform the Staff Accountant and Executive Director.

7. Any misuse of the corporate credit card shall result in immediate cancellation of the card and possible disciplinary action.

C. Minutes of meetings:

1. The Executive Director, Staff Accountant and Board of Directors will receive and review a copy of minutes of the Finance Committee and other committees with decisions that impact the finances of the organization. The Staff Accountant will note all items in the minutes relating to finance and take appropriate action.

D. Cost Sharing:

1. Each program will pay for the direct costs relating to that program.

2. Personnel designated by the Executive Director will maintain time allocation reports indicating the amount of time spent on each program.

XIV. REPORTING

A. Form 990 will be prepared by the auditing firm contracted to perform the agency annual audit. The Staff Accountant will review and approve these reports; the Executive Director will sign them.

B. The State Business Registration report, State Charitable Contribution and Secretary of State Corporate Annual reports (VA and MO) shall be prepared by the Staff Accountant; the Executive Director will sign them.

RESOURCES

Group Exercises

Board Scenarios

ROLES AND RESPONSIBILITIES
SCENARIO A

Sue Smith is the treasurer of the ABC CIL. Once a week Sue stops by the office to sign checks. Over the past 4 months, Sue has been spending more and more time at the CIL. She has asked staff to provide her with desk space and a phone and she has begun taking on a "supervisory" roll with the bookkeeper. Sue is insisting that all checks and invoices be given to her for review prior to going to the bookkeeper.

John, the CIL Executive Director has tried to talk with Sue about her involvement in the day-to-day operations of the center. When Sue refused to stop reviewing all the checks and invoices, John told the secretary to give all the mail to him unopened as soon as it comes. Sue then accused John of trying to hide financial problems at the center.

What is the most glaring problem in this scenario?

What if anything could John have done differently?

If there were prior mismanagement of funds at the CIL, should the Treasurer take on the role Sue took on?

If yes, why?

If no, what could the Treasurer or board do?

SCENARIO B

You were appointed six months ago as the executive director of a small center that has been in existence for several years. One of the first priorities you identified is to reorganize and upgrade the staff, which has all been there since the CIL started. You determine that the independent living skills trainer, although she's been doing her job for five years, is performing well below the requirements of the position. After documenting her performance and counseling her on several occasions you determine to let her go since there are no other positions in the center that are available that she can do.

After you terminate her, you learn that she is best friends with the board secretary who has called the DSU to complain about your action. The DSU calls to tell you that a complaint has been lodged against you and that there will be an investigation. Meanwhile, the board secretary also calls the local newspaper to report mismanagement at the center and a reporter calls you for the "rest of the story."

What do you do?

Identify the problem areas in this situation.

How might situations of this nature be avoided in the future?

SCENARIO C

Jill is the president of the Life is Wonderful CIL board of directors. Jill is also very involved with another consumer group that has been fighting with the County to hold their Council meetings in an accessible location. The group plans to hold a demonstration before and during the next meeting. Jill tells the group that the CIL will donate $500 towards refreshments.

Jill tells the center's bookkeeper Joe to process the check immediately and give it to her for signature. Joe is concerned about doing this, however, he knows that the center has also been fighting with the county about the inaccessible council meetings and since Jill is the President and has check signing authority, he does what Jill asks.

When Jodie, the Executive Director of the center confronted Jill about the expenditure, Jill said that as the President, she has the right to use center money for advocacy efforts when it there is no impact on the center's budget.

Does the President of the board have the right to obligate CIL funds?

What could Joe have done differently?

SCENARIO D

Paul and Sally, members of the QRZ CIL board, also work on the center's Medicaid waiver advocacy committee. The committee is trying to get a Medicaid waiver program started. Jack, the center's advocate, staffs the committee and over the last three months, he has not participated in meetings or followed through on assignments.

Paul and Sally have mentioned their concern over Jack's work to Peter, the CIL's executive director and have asked Peter to do something. Peter tells Paul and Sally that, as board members, they have no right to interfere with his supervision of staff. Paul and Sally believe that Jack's lack of follow through could seriously hurt the center.

Is Peter correct? Why?

What should Paul and Sally do?

What steps should a board member take if they perceive a problem with a staff person other than the executive director?

National Council on Independent Living

BOARD BASICS
FOR
IL BOARD MEMBERS
AND STAFF

Fred Newdom

ProAct Consulting Services, Albany, NY

MISSION

AND

PHILOSOPHY

Formula for a nonprofit organization…

1. A group of concerned folks +
2. Shared concern about a condition or problem +
3. An idea for a solution +
4. A formal structure

= A commitment to a MISSION

THE ORGANIZING BOARD

At first, volunteers take a direct role in the solutions to all organizational challenges ...

... raising funds

... working directly with consumers

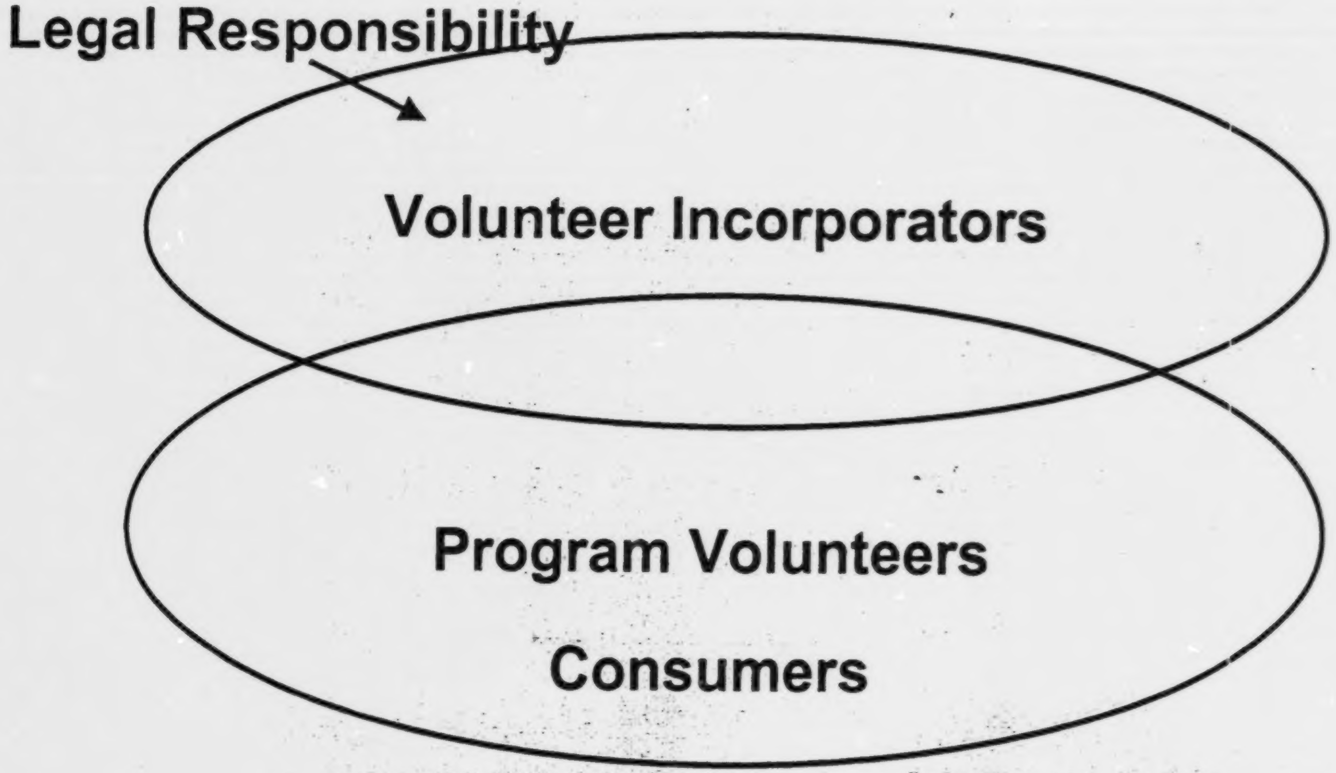
... speaking to the public

... keeping records

Everyone works toward the Mission

When the organization incorporated

Volunteers take on a GOVERNANCE role ...


Legal Responsibility

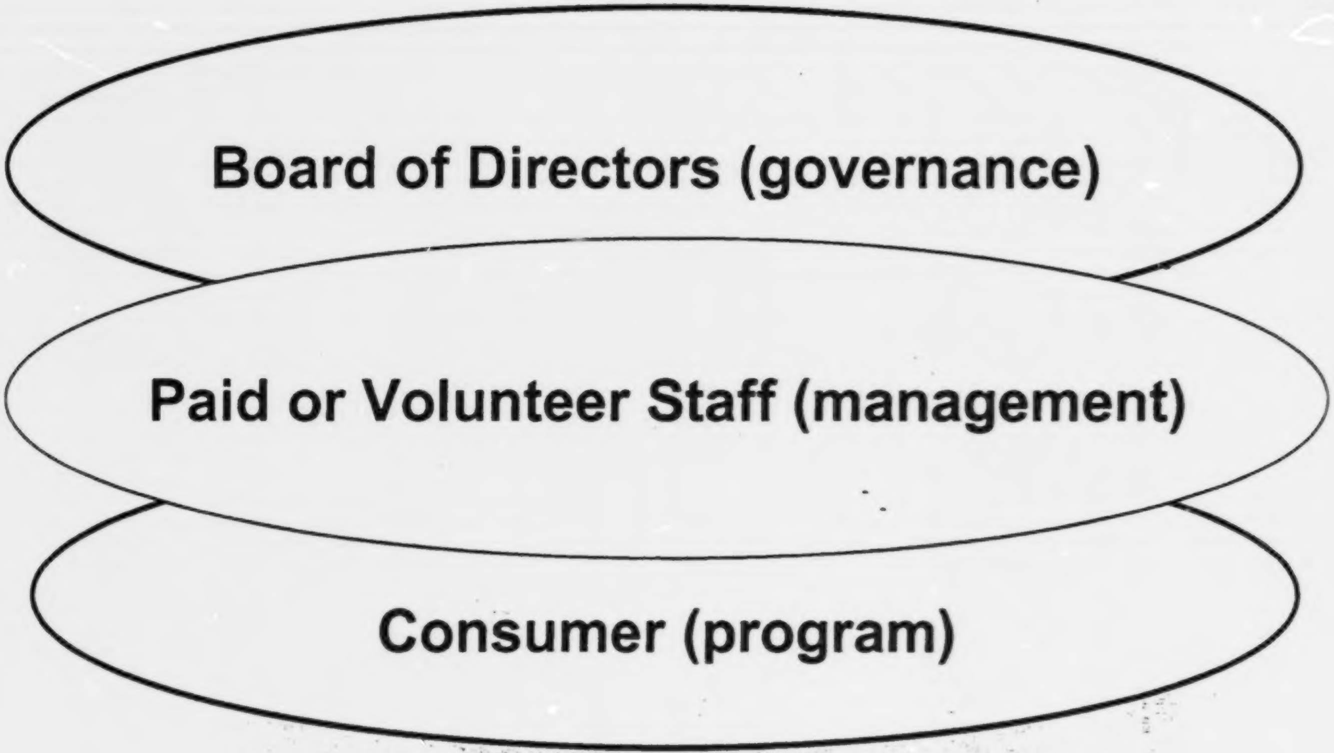
Volunteer Incorporators

Program Volunteers

Consumers

THE GOVERNING BOARD

As the organization grows, so does the division of responsibilities…



Board of Directors (governance)

Paid or Volunteer Staff (management)

Consumer (program)

… but it's still ALL ABOUT MISSION

THE INSTITUTIONAL BOARD – A MATURE ORGANIZATION

Characteristics

- ✓Large
- ✓Fund raising capacity
- ✓Prestigious
- ✓Relegates governance to Executive Committee
- ✓Tension with IL philosophy

Key Governance Concepts…

- ✓Mission
- ✓Fiduciary role
- ✓Duties of obedience, care, loyalty

Mission: Basic Elements

- A simple, compelling description: business, purpose, customer, values
- Identifies a problem or condition being addressed
- States the tax-exempt purpose of the organization

LEGAL ASPECTS

OF BEING

A

BOARD MEMBER

Fiduciary - Definition

✓ A duty to act for someone else's benefit

✓ A *fiduciary* has special responsibility in administering, investing and distributing assets, where those assets belong to someone else.

STANDARD: Highest standard implied by law – to hold another's interest above one's own.

Duty of Obedience

Requires board member to be faithful to:

✓ **The laws & regulations that govern the organization's actions, including:**

- **Federal, State and Local Laws**
- **The Bylaws**
- **Contractual obligations**

✓ **Board decisions, i.e. agency policy**

Standard: Compliance

Duty of Care

- ✓ The degree of competence expected to avoid reasonable foreseeable harm

STANDARD: Each member should exercise the "care that an ordinary, prudent person would exercise in a like position and under similar circumstances"

Duty of Loyalty

- ✓ Faithfulness to the mission, board, office and organization
- ✓ Obligation to avoid conflicts of interest
- ✓ Responsibility to raise concerns within the formal structure

STANDARD: Allegiance and full support of the nonprofit's mission & endeavors

Why are nonprofits sued?

- ✓Increased regulations
- ✓Changes in laws
- ✓Poor risk management
- ✓Gross board error or neglect

Protections...

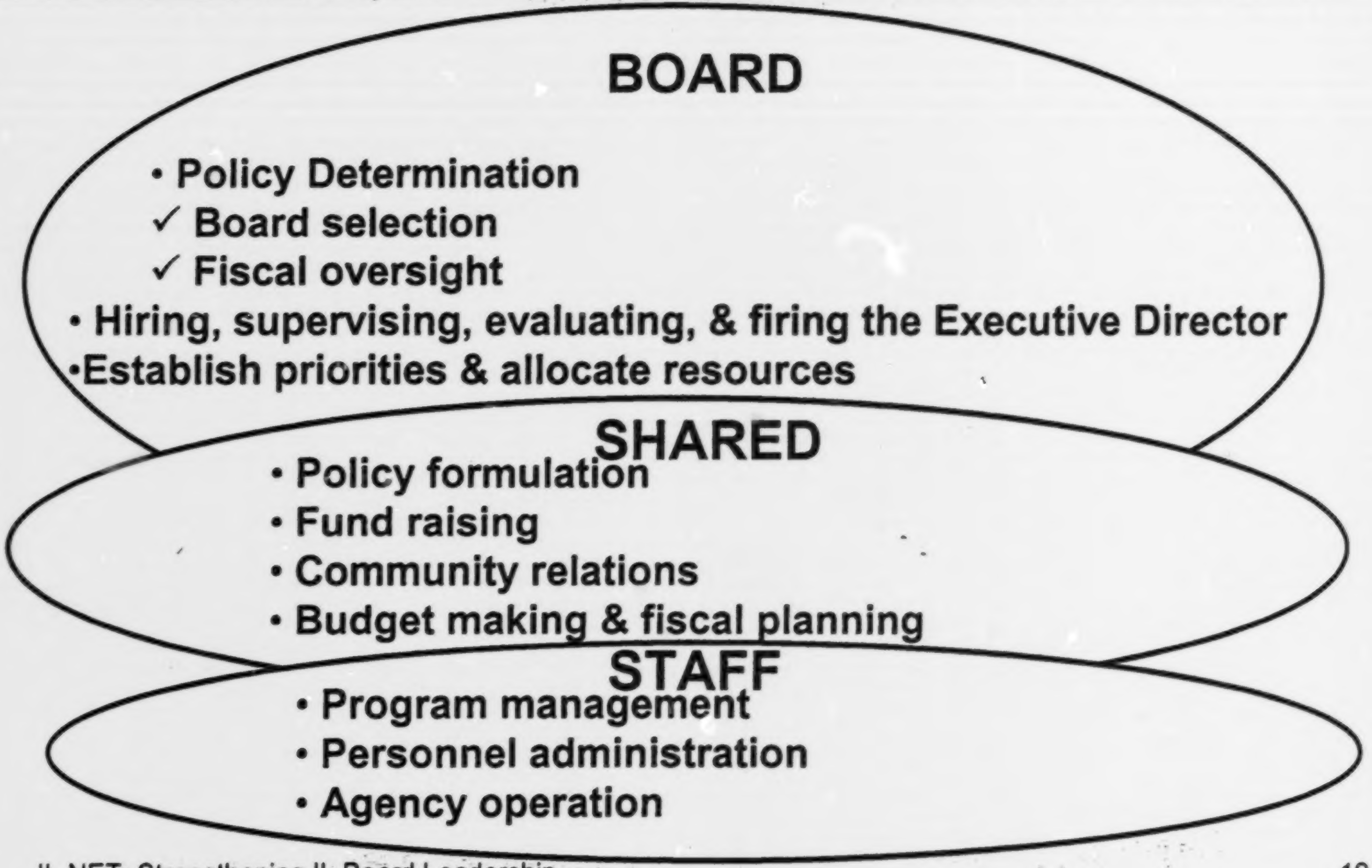
- ✓Immunity laws
- ✓Risk management
- ✓Insurance Options

ROLES AND RESPONSIBILITIES OF BOARD AND STAFF

Board service provides an opportunity to ...

- ✓ Help the community
- ✓ Gain personal satisfaction
- ✓ Grow professionally
- ✓ Support a cause

EXCLUSIVE AND OVERLAPPING BOARD, STAFF RESPONSIBILITIES



BOARD

- Policy Determination
  - ✓ Board selection
  - ✓ Fiscal oversight
- Hiring, supervising, evaluating, & firing the Executive Director
- Establish priorities & allocate resources

SHARED

- Policy formulation
- Fund raising
- Community relations
- Budget making & fiscal planning

STAFF

- Program management
- Personnel administration
- Agency operation

What Board Members DO…

- ✓ Attend all meetings;
- ✓ Understand and articulate the mission;
- ✓ Publicly support all actions of the board;
- ✓ Approve the organizational budget;
- ✓ Ensure adequate resources to accomplish plan;

What Board Members DO...

- ✓ Request and review the appropriate financial documents on a regular basis;
- ✓ Assess board performance;
- ✓ Ensure board leadership succession & ongoing development;
- ✓ Hire, supervise, evaluate & terminate the Executive Director.

What Board Members DO NOT DO…

- ☒ Take a public position criticizing the organization;

- ☒ Carry on organizational activities without communicating with the full board;

- ☒ Bring a negative personal agenda to board discussions;

What Board Members DO NOT DO…

☒ Supervise or direct staff other than the Executive Director;

☒ Disregard governance responsibility;

☒ Use the organization's name while participating in electoral politics.

Board Ineffectiveness Can Lead to ...

- ⊘ Loss of credibility among stakeholders;
- ⊘ Loss of accreditation or licensure;
- ⊘ High insurance costs;
- ⊘ Loss of tax exempt status;
- ⊘ Loss of funding;
- ⊘ Unexpected tax liabilities;
- ⊘ Lawsuit (against corporation or individuals)

Critical Board Roles

- ✓ Advocacy and Lobbying
- ✓ Human Resource Management
- ✓ Fiscal Oversight
- ✓ Programs and Services

Critical Board Roles

- ✓ Leadership Identification, Recruitment and Development
- ✓ Resource Development
- ✓ Maintenance of an Effective Board

ADVOCACY & LOBBYING

- ✓ *Advocacy* is acting to convince others of your position; *Lobbying* is advocacy directed at legislators
- ✓ Nonprofits are a critical information source for policy makers
- ✓ Systems advocacy is a requirement of the Rehab Act of 1973 as amended

ADVOCACY & LOBBYING

- ✓ Restrictions on the amount and kind of lobbying that is permissible are set at the federal, state and local levels.
- ✓ Must have policies on how to offer voter registration as required by the MVRA

Advocacy and Lobbying: The Board's Role

- ✓ Know the rules governing lobbying
- ✓ Participate in shaping the agenda
- ✓ Make your strategic contacts/relationships available
- ✓ Be willing to share you knowledge & experience
- ✓ Represent the agency in public

Key Facts about CILs and Lobbying

- CILs may lobby.

- Only non-federal funds may be used for lobbying.

- Specific activities can use federal funds
  - Testifying at hearings in response to a *documented* request
  - Lobbying on state legislation to reduce grant or contract costs
  - Any activity to be conducted with grant or contract funds.

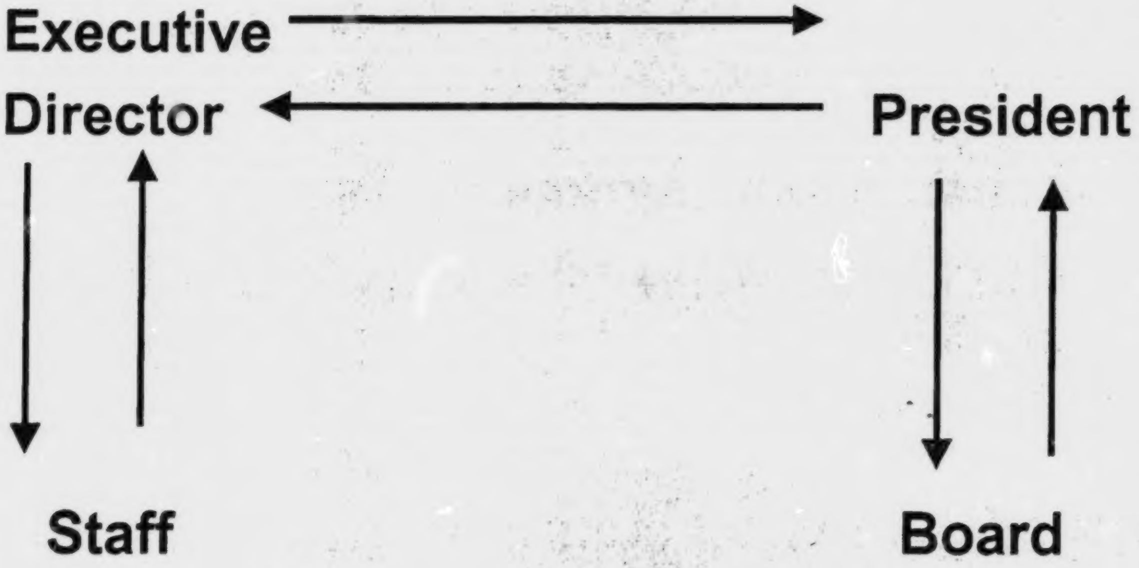
Key Facts about CILs and Lobbying

- ✓ You can safely use 5% of resources, though it could be more if you file with the IRS and report activities annually
- ✓ State laws must be known and obeyed

Human Resource Management: The Board's Role

- Review and determine personnel policies
- Hire, fire, supervise & evaluate Executive Director
  - President as supervisor
  - Executive Committee evaluates
- Participates in grievance procedure in accordance with policies
- Directs staff concerns to Executive Director

Board-Staff Communication Flow



Executive Director

President

Staff

Board

Fiscal Oversight:
The Board's Role

✓ Establish fiscal policies (internal controls)

✓ Determine annual budget by a formal vote

✓ Review & approve financial statements
  - Balance Sheet
  - Income Statement
  - Budget Report

✓ Review & approve audit
  - How to use management letter

Establishing Fiscal Policies

✓ Design check-signing, deposit procedures & other internal controls

✓ Identify staff and board roles in management & oversight of finances
  - Finance Committee
  - Treasurer
  - Executive Committee/Board Leadership
  - Finance Director, other fiscal staff
  - Executive Director
  - Any outside accounting firm or consultants

Setting the Budget: Budget Elements

- ✓ Realistic (reflects past performance, future projections)
- ✓ Balanced, or with planned reasonable deficits
- ✓ Organized in line with reporting formats

Setting the Budget:
Budget Elements

- ✓ Processed internally (committees and staff)
  - ➢ Staff role
  - ➢ Narrative
  - ➢ Key questions

- ✓ Revised as needed

- ✓ Adopted by Board prior to start of fiscal year

Financial Reports:
Board Questions

- ✓ Unbudgeted or unusual revenue/expense?
- ✓ Relationship of debt to equity?
- ✓ Cash flow?
- ✓ Timely Payments?
- ✓ Using Credit?

Financial Reports: Board Questions

- ✓ Vouchers/reimbursements timely
- ✓ Using reserves or restricted funds?
- ✓ Any revenue projected that is not certain?
- ✓ Tax payments being made regularly?

Selecting an Independent Auditor

- ✓ Determine the services you need
- ✓ Consider a multi-year engagement
- ✓ Issue a Request for Proposals
- ✓ Review proposals, schedule and site visit with fiscal staff

Selecting an Independent Auditor

✓ Do they know non-profit?

✓ Treasurer/Committee interview (CEO, CFO)

✓ Require engagement letter with terms

Programs and Services: The Board's Role

- ✓ Planning
- ✓ Understand contractual obligations
- ✓ Clarify expected outcomes/MBO
- ✓ Assure programs are evaluated regularly and objectively

Leadership Identification, Recruitment & Development:

The Board's Role in Nominations

- Nominations are a year-round job
- Consider why someone would want to be a board member
- Review values, skills, knowledge, experience, demographics, and contacts you need of the board

Leadership Identification, Recruitment & Development:
The Board's Role in Nominations

- Respect and seek a range of diversities
- Issues in recruiting to an IL Board
- Find a range of roles for interested people
- Leadership *development* is key

Resource Development: The Board's Role

- Provide for adequate resources
- Developing fundraising, marketing policies
- Representing the agency to funders, donors, government officials and others
- Hands-on fundraising and marketing
- Participate in budget advocacy
- Personal $ commitment – 100% of board gives, helps

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Board Management
The Board's Role

- ✓ Clearly defining expectations of members
- ✓ Recruitment and nominating
- ✓ Orientation and development
- ✓ Regular review & update of corporate documents
- ✓ Ongoing assessment of functioning

Orientation Checklist:
A Good Beginning

- ✓ Mission Statement
- ✓ Bylaws
- ✓ Board Roster & Committee Structure
- ✓ Annual Report
- ✓ Organizational History/Background

Orientation Checklist:
A Good Beginning

- ✓ Personnel Policy & Roster
- ✓ Budget, Typical Financial Report & Investment Policies
- ✓ Program Descriptions
- ✓ Strategic Plan

A Board Member Should be Able to ...

- ✓ State your mission
- ✓ Articulate the need(s) your program is designed to address
- ✓ Understand how your programs/ services relate to the mission
- ✓ Know how the programs work, how much they cost, and what benefits they produce
- ✓ Understand & follow through on your commitment as a board member

Being an Effective Board Member … It's About Accountability

- ✓ Prepare for/attend all meetings
- ✓ Review minutes, budget, financials, audit & corporate documents
- ✓ Disclose conflicts of interest
- ✓ Balance personal goals for the agency with the mission & the board's goals
- ✓ Ask questions, exercise humor/humility

Create a Culture of Accountability…

- ✓ Debrief at the close of each meeting
- ✓ Conduct an annual, neutral assessment before nominating new members
- ✓ Develop, and make frequent reference to board goals
- ✓ Expect all members to participate in board development activities

Document Meetings...

- ✓ List those present
- ✓ Format minutes consistent with agenda
- ✓ Summarize key discussion points
- ✓ State all motions
- ✓ Document all votes – those opposed, abstaining
- ✓ Identify issues for follow-up (specific actions, timeframe and responsible party)

BOARD COMMITTEES
Establish a Structure

- ✓ Create only committees that can be sustained
- ✓ Distinguish standing/adhoc, governance/ operational
- ✓ Define charges in writing

BOARD COMMITTEES
Establish a Structure

- ✓ Develop annual committee schedule and work plan
- ✓ Appoint able chairs; members who can work together
- ✓ Consider non-board members (check bylaws)

Board Committees: Use Them Well

- ✓ Do not meet if there is no work to do
- ✓ Empower committees with staff & information
- ✓ Distribute minutes to the entire board
- ✓ Expect timely reports to the board

Board Committees: Use Them Well

- ✓ Respect – don't repeat – committee work at board meetings
- ✓ Rotate members – use committees to educate members
- ✓ Make committees functional or eliminate them

MEETING MANAGEMENT: Making the Most of Board Member's Time

- ✓ Roles and Preparation
  - Timely notice
  - Clear communication
- ✓ Agenda Structuring
- ✓ Using Reports
- ✓ Keeping the meeting moving
- ✓ Minutes

Meeting Management: Roles and Preparation

- ✓ Role clarity – Who does what?
- ✓ Agenda integrity
- ✓ Time integrity
- ✓ The rule of halves
- ✓ The rule of three quarters
- ✓ The rule of thirds

Meeting Management: Executive & Staff Roles

➢Executive

- ✓Present professional perspective
- ✓Offer expertise where needed
- ✓Keep Board informed of policy issues
- ✓Work sensitively with Board
- ✓Make opportunities for development

Meeting Management: Executive & Staff Roles

➢Staff

- ✓Inform/provide consultation
- ✓Give technical assistance
- ✓Analyze choices
- ✓Develop strategy options

Meeting Management: Using Reports Well

- ✓ Schedule only reports requiring action
  - ▪ Identify action being proposed
- ✓ No verbal reports
- ✓ Reports requiring no action only get an executive summary

Meeting Management: Chairing the Meeting

- ✓ Model preferred behavior
- ✓ Synthesize political & intellectual material
- ✓ Preside in neutral, states-personslike fashion
- ✓ Insure agenda & time integrity
- ✓ Facilitate & clarify discussion
- ✓ Move the discussion along
- ✓ Bring the discussion to a close

Meeting Management: The Minutes

- ✓ Report views without naming disputants
- ✓ Summarize debate
- ✓ Record action taken
- ✓ Record votes of board members
- ✓ Categorize items under agenda heading from the meeting

IL NET TRAINING PROJECT

STRENGTHENING IL BOARD LEADERSHIP

September 9-11, 2002

Seminar Evaluation Form

WE VALUE YOUR OPINION! We review every evaluation form. Please give us your feedback about today's program by completing this form and turning it in before you leave (or mail it back to NCIL, Att: Toony Buppapong, 1916 Wilson Blvd., Ste. 209, Arlington, VA 22201).

	Not at all		Average		Excellent
Was the seminar content:					
Organized?	1	2	3	4	5
Interesting?	1	2	3	4	5
Useful?	1	2	3	4	5
What you hoped it would be?	1	2	3	4	5
Overall content rating	1	2	3	4	5
Did the trainers know the subject?					
Anne-Marie Hughey	1	2	3	4	5
Fred Newdom	1	2	3	4	5
Did the trainers hold your attention?					
Anne-Marie Hughey	1	2	3	4	5
Fred Newdom	1	2	3	4	5
Did the trainers use relevant examples?					
Anne-Marie Hughey	1	2	3	4	5
Fred Newdom	1	2	3	4	5

Overall trainer rating	**Low**				**High**
Anne-Marie Hughey	1	2	3	4	5
Fred Newdom	1	2	3	4	5
How likely is it that you will use what you learned at this training?	1	2	3	4	5
Overall training conference rating	1	2	3	4	5

How well did this training develop your skills and knowledge for...

	Low				**High**
1. integrating IL mission and philosophy with board functioning?	1	2	3	4	5
2. clarifying board and staff roles and responsibilities?	1	2	3	4	5
3. identifying, recruiting, and developing potential leaders?	1	2	3	4	5
4. avoiding fiscal disasters?	1	2	3	4	5
5. creating and maintaining an effective working relationship between the Executive Director and Board?	1	2	3	4	5

Please list 2 or 3 of the most important things you learned from this training.

What else do you wish you would have learned at this training?

What do you wish the training had spent more time on?

What do you wish the training had spent less time on?

What might prevent you from using the information back on the job?

What would you like to see IL NET do as an on-site training?

What would you like to see IL NET do as a teleconference?

Please make any additional comments you think might be helpful to us:

THANK YOU FOR THE GIFT OF YOUR TIME

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September 9-11, 2002
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